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John A. C. Mason.

FIRST LESSONS

IN

CIVIL GOVERNMENT

BY

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BOSTON, U.S.A.

GINN & COMPANY, PUBLISHERS

1896

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PREFACE.

INSTRUCTION in civil government is an essential part of rational instruction in local geography. It is a pedagogical blunder to teach a child to draw a map of a township, a county or a state, and not at the same time to teach him what these names represent. If this instruction is not given the first and strongest impression associated with these names is the erroneous one that they represent simply pieces of land. But these names represent not simply pieces of land; they represent governments as well. The land is the place for the action of the government. A child who is able to draw a map of a township can easily be made to understand that the township elects officers and cares for the highways. The child who draws a map of the county can understand that the county owns a court house and elects officers to attend to the business of the courts. And so the child who can make a map of a state can understand that the state keeps a prison for the punishment of criminals.

The book which is here presented continues the study of political geography; and the geography is made the basis of a more detailed study of the facts of government. It is intended that these Lessons shall precede the study of United States history. Biography and stories of ad-

venture may be taught without a knowledge of civil government. Chronology and striking events, such as wars and great calamities, may also be learned. But every true teacher knows that the growth and experience of a government cannot be taught to one who does not know what a government is. More real history will be taught in a given time if a part of the time is devoted to making the pupil acquainted with the actual government about him.

To adapt these Lessons to the use of the lower grades in our schools, the most easily explained facts are selected. All discussions of Constitutional interpretations are omitted. It is expected that the pupil will first meet the questions which involve the interpretation of the Constitution in the study of United States history. The books on civil government in ordinary use are fitted to carry forward the study of these constitutional questions.

By carrying definite instruction in civil government into the lower grades of our schools, the great body of our citizens will be reached. By leaving the subject to be taught in the high school, the academy or the college, only a small fraction of our citizens are reached. It is not a mere theory, it is a fact, attested by the experience of multitudes of teachers, that a child can learn many of the facts of government as easily as can an adult. And when they are properly presented the child is intensely interested in these facts. It has also been observed that when the proper facts of government are presented to the mind of a child, there is immediately

manifest in his mind a healthier sentiment of political morality than is to be found in the mind of the ordinary adult. It is the high mission of the school to preserve, develop, and strengthen right political sentiments in the mind of the child. To do this effectively the work must begin early. What would be the state of mind of the ordinary citizen respecting stealing, lying and profanity if his education on these subjects were omitted till he reached the high school? True political morality, and true patriotism must be based upon a knowledge of the real facts of government. These will never be taught by singing songs and displaying banners. If a child early learns what the government is and does, he will then naturally have a right sense of moral obligation towards the government. But if a knowledge of the facts of government does not come to the citizen till after his moral sentiments are mainly formed, it may easily happen that he will steal from the government without remorse when he never could be induced to steal from an individual.

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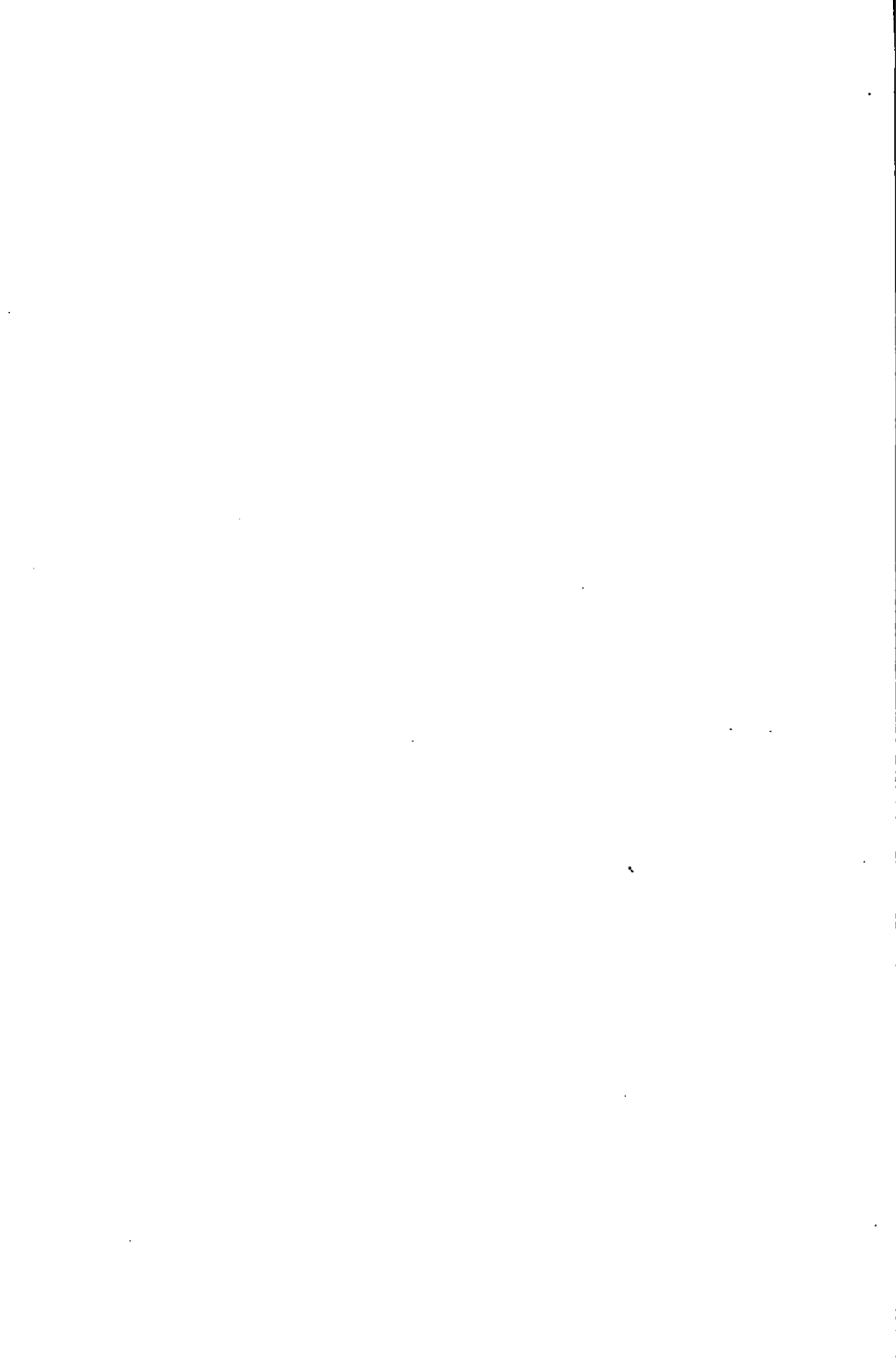
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STATE AND UNITED STATES GOVERNMENTS.

The School and the State. — Pupils already know a good many things about the government of a school. They are taught to obey the teacher, and to observe certain rules which have been adopted for the good of the school. The teacher in a public school is employed by certain school officers, and these officers adopt rules requiring the teacher to do certain things. The officers who employ the teacher are elected by the voters of the school district, and these officers are required by law to do many things for the good of the school. The laws which require the school officers to do certain things are made by men whom the people of the different counties in the state elect and send to the state legislature. The state legislature makes laws to govern school officers ; the school officers make laws, or rules, to govern teachers ; the teachers make rules to govern school-children. The schools are a part of the government of the state.

The Constitution the highest Law. — The people of all the states of the Union are under one government which we call the Government of the United States. The people of the entire country have made a law which we call the Constitution of the United States.

This Constitution is adopted by the people, and it is the duty of all the people to obey it. The Constitution says that there are certain things which the government of the United States shall do. It also says that there are certain things which the states shall not do, and it allows the states to do everything else which the people of the states want to do.

Congress and State Legislatures.— You have heard of the Congress of the United States. Congress makes the laws for the management of United States Post-Offices, Army and Navy, and for the control of the business which the Constitution gives to the United States government. Congress does not make laws for the government of the states. Each state has a legislature of its own which makes laws to govern the state.

The two Houses of Congress.— Congress is composed of two legislative assemblies called houses. One house is called a Senate, and is made up of two Senators from each of the states of the Union. There are thus always twice as many Senators in Congress as there are states. The other house in Congress is called the House of Representatives. The members of this house are chosen by the voters in the different states according to population. The states having fewest people send only one Representative, while the state of New York sends thirty-five Representatives to Congress.

How Laws are Executed.— It is the duty of Congress to make laws, but other officers are chosen to execute the laws, or to do the things which the laws require. The chief executive officer of the United States we call the President of the United States.

Once in four years a President is elected, and it is his duty to appoint men to assist him, while it is their duty to see that the laws passed by Congress are obeyed. Congress makes laws requiring post-offices to be furnished and the mails to be carried and distributed to the people. It is the duty of the President and the men whom he appoints to assist him to see that this work is done.

United States Courts.— Congress makes the laws, and the President and the officers chosen to assist him execute the laws. But it often happens that the meaning of a law is not understood, or that men understand the law variously. Sometimes men refuse to obey the law. This makes it necessary to have still other officers, to give the meaning of the laws, and to assist the executive officers in compelling men to obey the laws. The officers who do this work we call Judges, or judicial officers. The judges hold courts for the trial of cases at law. To attend to the judicial business under United States laws, the government has established one Supreme Court of the United States, composed of nine Judges ; one Court of Claims ; nine Circuit Courts of Appeal ; nine Circuit Courts ; and about seventy District Courts.

Legislative, Executive and Judicial Officers.— It seems from this description that the entire government of the United States is made up of three sorts of officers: 1. A Congress, whose duty it is to make the laws. 2. A President and a large number of officers appointed to assist him, whose duty it is to execute the laws, or to see that the laws are obeyed. 3. The

Judges of the courts, whose duty it is to give the meaning of laws when cases at law, or disputes, are brought before them, and to assist the executive officers in punishing those who disobey the laws.

A State Government also has Legislative, Executive and Judicial Officers.— The government of the United States attends to only a few of the things which we need a government to do. The rest of the business of government is done by the separate states. The government of one of the states is very much like the government of the United States. In the place of the Congress, there is a state legislature to make the state laws. In the place of the President and the officers appointed to assist him, there is a Governor of the state and other officers chosen to execute the laws made by the state legislature. In the place of the judges of the United States courts, there are state courts whose duty it is to decide disputes which arise in the execution of state laws. Thus for each state, as well as for the United States, there are three sorts of officers. There are officers to make the laws, other officers to see that the laws are obeyed, and still other officers to decide disputes about the meaning of the laws, and to punish those who will not obey the laws.

The School and the Post-Office.— If you are in a public school, you should remember that the school is a part of the government of the state; and your post-office is a part of the government of the United States. The school teacher and the officers who employ the school teacher are executive officers of the state government. That is, they are officers chosen to see that the

laws of the state which require schools to be kept for the education of the people are executed. The postmaster is an executive officer of the United States. That is, he is an officer appointed to see that the laws of the United States for furnishing post-offices are executed. The government of the United States and the government of each state have separate officers for the doing of their separate work.

PART I.

POLITICAL GEOGRAPHY.

CHAPTER I.

THE POLITICAL GEOGRAPHY OF INDEPENDENT GOVERNMENTS.

Political and Physical Geography.—In your study of geography you have learned many things about the surface of the earth. One part of your geography describes the divisions of the earth's surface which have been made by the different governments. Some of these divisions are called Empires, and their chief rulers are called Emperors; such is the Empire of Germany in Europe. Some are called Kingdoms, and their chief rulers are Kings. Some are called Republics, and the rulers are elected by the people. The geography which describes these various countries is called Political Geography, to distinguish it from another sort of geography called Physical Geography. Physical Geography treats of oceans, continents, islands, mountains, rivers and the division of the earth's surface which man has not made. Political Geography describes the divisions of the earth's surface which have been made by man.

Knowledge of Governments Necessary to a Knowledge of Political Geography.—It is not possible for

you to know all about political geography until you learn a great many things about governments. Your geography teaches you the names of the different sorts of governments, but it does not teach you how there came to be these different sorts of governments, and it does not tell you how the several governments came to be established where they are.

Civilized People Govern the Land ; Savages Govern only the People.—If you look at a map of Africa, you will see a number of countries near the coast, while the greater part of the continent is not divided into states. The interior of Africa is occupied by savage tribes, and savages are not accustomed to mark off a definite portion of the land and make laws to govern it. The chief difference between a civilized people and a savage people is that the civilized people make laws to govern all who live on the land, while the savage people do not govern the land, but have a sort of government over families and tribes ; and when the tribe moves the government moves. They do not make laws for the land, but adopt rules and customs for the people.

Nineteen Republics in the New World.—Your geography has taught you that North and South America are divided into various countries, and that each country except British America is the home of an independent self-governing people. British America belongs to the British Government; yet it has a government of its own, and is nearly independent. The other countries in North and South America are independent republics. In the year 1890 a meeting was

held in the city of Washington, D. C., made up of men chosen by nineteen republics in North and South America. This was called the Pan-American Congress, and it met at the invitation of the government of the United States. The objects of the meeting were to promote friendship between these republics, to encourage and regulate trade between their inhabitants, and to agree upon a way to settle difficulties between the republics without going to war. One very common source of difficulty between countries is that of fixing the boundary between them. How does it happen that each one of the nineteen republics in America came to have just the boundaries which it now has? It would take a long story to answer this question, but I can give you a few statements about the republic in which you have the deepest interest.

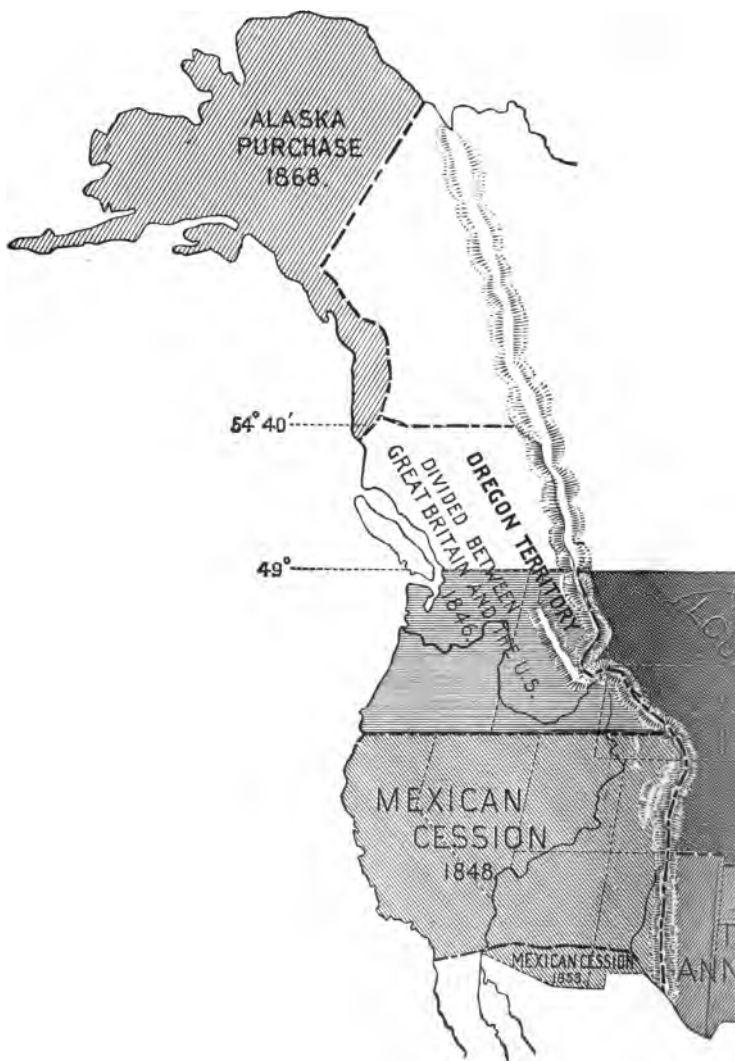
The Declaration of Independence.— On the fourth day of July, 1776, a meeting in the city of Philadelphia, made up of men from thirteen English colonies along the Atlantic coast, adopted the Declaration of Independence. In this document are found the words: "We, therefore, the representatives of the United States of America, in Congress assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the name and by the Authority of the good people of these Colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be Free and Independent States." England disputed the right of these colonies to become independent, but, after a few years of war, was induced

to sign a treaty acknowledging the independence of the United States.

Our First Boundaries. — The treaty was signed in 1783. By a reference to the map on page 10, you will see the boundaries of the United States as fixed by this treaty. The Atlantic Ocean on the east and the Mississippi River on the west were used as boundaries. The line between Canada and the United States was described in this treaty. The treaty gave Florida to Spain, and the Spanish possessions on the south extended to the Mississippi, so that the United States was cut off from the Gulf of Mexico. Spain also owned, according to this treaty, all the land west of the Mississippi.

The Louisiana Purchase and Florida. — In 1802 Spain gave to France a part of the land west of the Mississippi, and the next year France sold this land to the United States. This land is usually described as the Louisiana Purchase. The western boundary of the Louisiana Purchase was not definitely fixed at the time the United States bought it of France. Spain owned Mexico and the land to the south and west which the United States did not own. In 1819 the United States made a treaty with Spain, and by this treaty the western boundary of the Louisiana Purchase was established. By looking at the map on page 10, you will see that this line begins at a little river between the states of Louisiana and Texas, follows up this river for a certain distance; then runs north to the Red River; follows up this river; then goes north again to the Arkansas River; follows this river

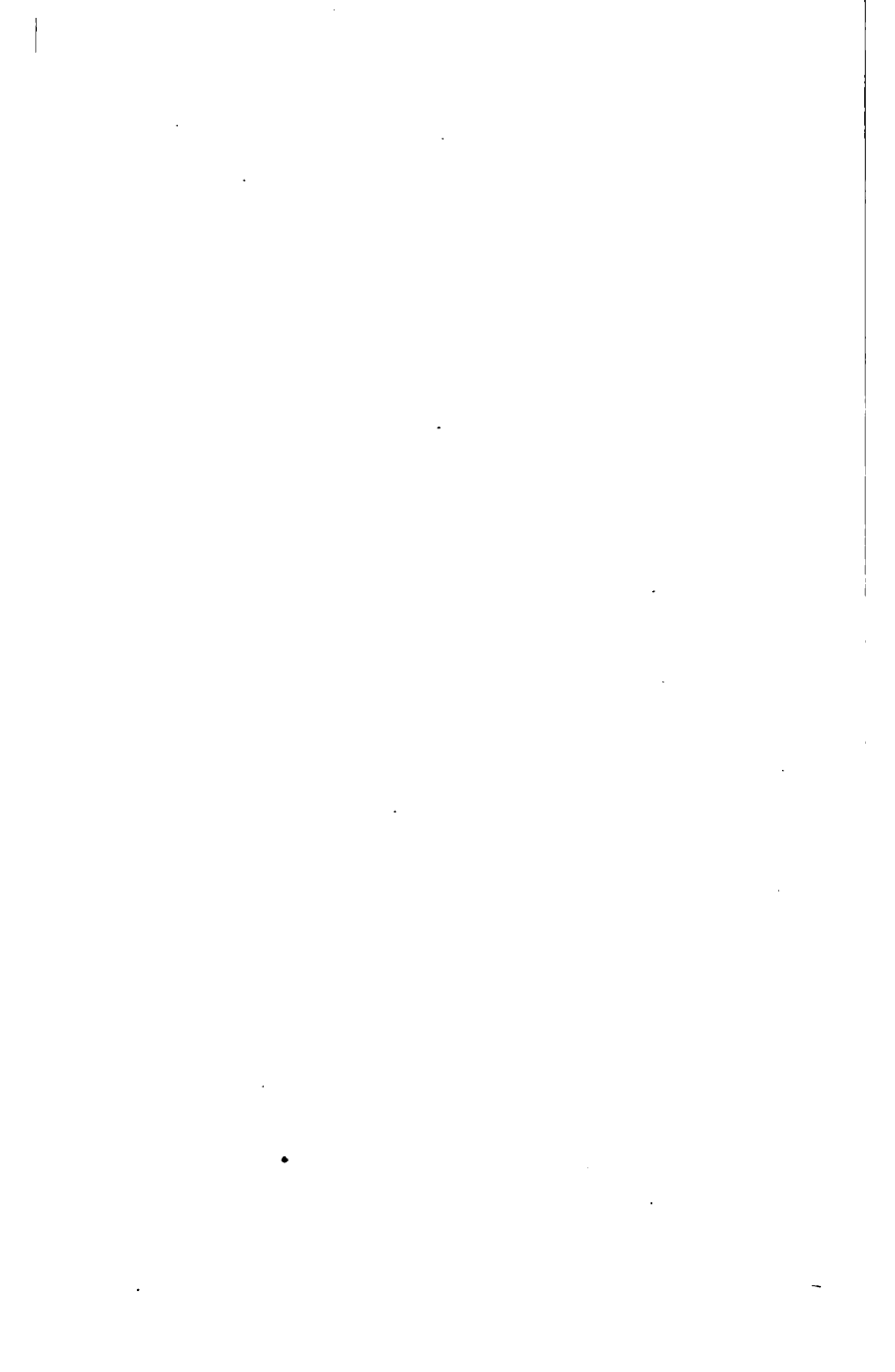




MAP TO ILLUSTRATE THE ACQUISITION OF TERRITORY BY THE UNITED STATES.

	SQ. MILES.
Area of United States in 1783	827,844
Austria-Hungary, German Empire, France, and Spain	834,906
Louisiana Purchase, 1803, with the portion of Oregon territory retained in 1846	1,171,931
Austria-Hungary, German Empire, Sweden, Norway, Denmark, Belgium, France, and Spain	1,171,154
Florida Purchase, 1819	59,268
England and Wales	58,320
Texan Annexation, 1845	375,239
Austria-Hungary, Italy, and Switzerland	370,472
Mexican Cessions, 1848-53	591,318
German Empire, France, and Spain	593,963
Alaska, 1867	577,390
Austria-Hungary, German Empire, and Norway	575,314
United States since 1867	3,602,990
Europe	3,986,975





to the Rocky Mountains ; runs north along the ridge of the mountains as far as the northern boundary of California, and then west to the Pacific Ocean. According to this treaty Spain owned all the land west and south of this line. At the same time the United States bought Florida of Spain ; this made the Gulf of Mexico our boundary on the south.

Texas and California taken from Mexico. — In 1824 Mexico became an independent republic. If you look again at the map, you will see that at that time Mexico included Texas and California and all the land that was given to Spain by the treaty of 1819. The people who lived in Texas rebelled against the authority of Mexico, and, after keeping up an independent government for several years, they asked the United States government to let them come into the Union as a state. Congress passed a law admitting Texas to the Union in 1845. This was followed by a war with Mexico ; and at the close of the war, in 1848, a treaty was made with Mexico, fixing the boundary between the two countries near its present position. A slight change was made in 1853, when the United States bought of Mexico a small strip of land south of the Gila River in New Mexico.

The Northern Boundary. — When the United States first made a treaty with England, in 1783, the line was agreed upon only as far west as the Mississippi River. We have seen that the United States, by various treaties, came into possession of a vast territory extending to the Pacific Ocean. England also claimed a vast territory extending to the Pacific. In 1849 a treaty

was made with England, fixing the boundary between these two countries west of the Mississippi, where it now is.

Alaska. — The last addition to the possessions of the United States was made by the purchase of Alaska from Russia, in 1867.

Boundaries between Countries must be fixed by Treaties, to prevent Wars. — You see from these statements how our own country came to fill its present place on the map of North America. You will notice that in every case where a change was made in the geography, the government of the United States made an agreement with the government of some other country. One government cannot fix its own boundary where the land joins another country. The governments of the two countries must agree together where the line shall run, or else the people will get into trouble, and there will be war between the two countries. When the United States admitted Texas, Mexico still claimed Texas, and the government of Mexico and the people of Texas did not agree about the boundary of Texas. These disputes led to a war between the United States and Mexico.

The Map of Europe has been changed by Wars. — If you look at an old map of Europe, you will see that it is very different from a new map. The countries of Europe have passed through many changes, and these changes have generally been made by war. The Congress which met in Washington in 1890 was called to enable the republics of the New World to learn a better way of settling their difficulties.

CHAPTER II.

THE GEOGRAPHY OF THE STATES AND TERRITORIES.

Each Country is divided into many Political Areas.

— When you have learned all about the fixing of the boundaries of one independent republic, or empire, you have learned only a very small part of its political geography. Each country is divided into a great many parts corresponding to the various officers of the government. The outside boundaries, as we have seen, are fixed by treaties or by war, the smaller divisions are made in some other way.

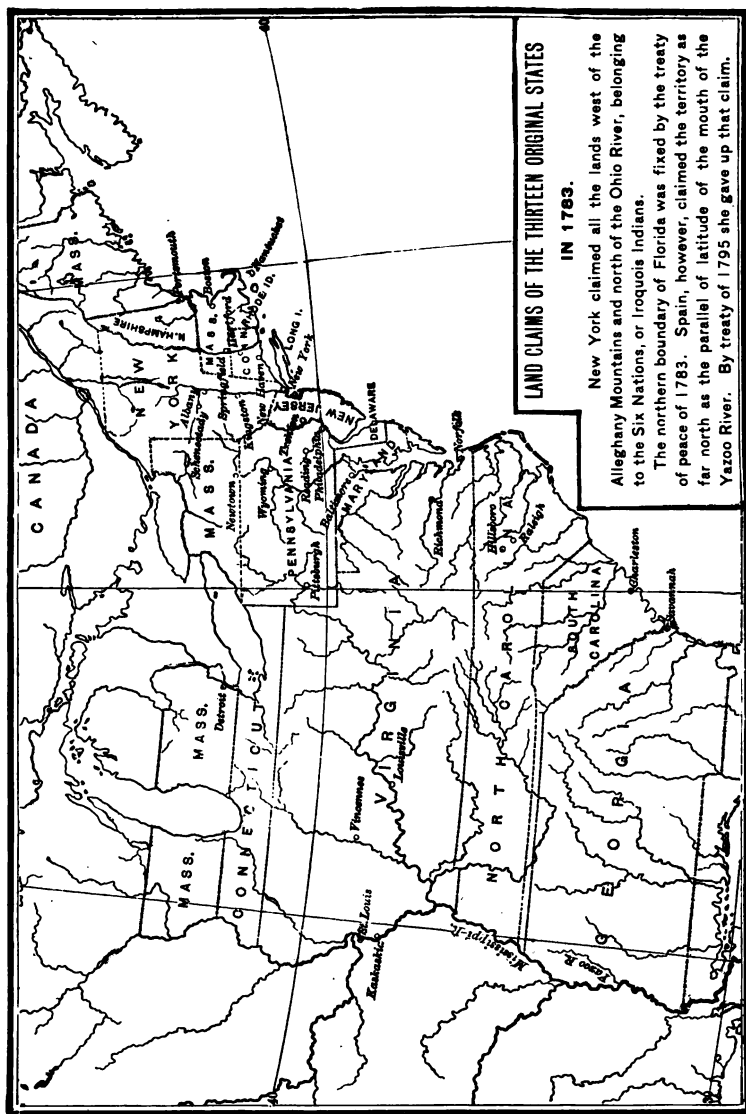
States and Territories. — If you look at a map of the United States you will see that the whole country is divided into about fifty parts. These are nearly all called States; a few are called Territories. How were these states made? They were not all made in the same way. You know how it was in the case of Texas. It was a part of Mexico. The people of Texas formed a republic of their own, and the Congress of the United States made a law which said that Texas should be admitted as one of the United States.

Thirteen States older than the United States Constitution. — There are thirteen of the states along the Atlantic coast that were old English colonies. The boundaries of these colonies had been fixed by the English government. When these colonies got into trouble with England and declared themselves independent, each colony became a state. For several years

these states were little republics, independent of England and nearly independent of each other. They all sent men to represent them in a Congress, but this congress was a little like the Pan-American Congress. It could give advice, and help the states to settle their difficulties, but it could not make and enforce laws to govern the people. There were boundary disputes between some of these states which were leading them into war. They were having so much trouble that they decided to make one general government for all the people of all the states, and to give to this general government power enough to keep the states from warring among themselves, and to settle all difficulties which should arise between the people of the different states.

The making of the United States Constitution.— This was done by sending men from the different states to a meeting in Philadelphia, called a Constitutional Convention. This Convention formed the Constitution of the United States. All the states adopted the Constitution formed by the Convention. It still left the states independent of each other, and each state was still in many respects like a little independent republic, and could make laws and govern its own people ; but the Constitution made a new government for all the people of all the states. This general government makes treaties with foreign governments, and attends to a few matters which the States cannot easily manage, such as the post-office business and the settling of disputes between the people of the different States. Washington was chosen President under the new Constitution in 1789.





**LAND CLAIMS OF THE THIRTEEN ORIGINAL STATES
IN 1783.**

New York claimed all the lands west of the Alleghany Mountains and north of the Ohio River, belonging to the Six Nations, or Iroquois Indians.

The northern boundary of Florida was fixed by the treaty of peace of 1783. Spain, however, claimed the territory as far north as the parallel of latitude of the mouth of the Yazoo River. By treaty of 1795 she gave up that claim.

How Vermont became a State. — From these statements you see that there are thirteen of the states which are older than the government of the United States. The United States government had nothing to do in fixing the first boundaries of these states. Some of them claimed a vast territory reaching west to the Mississippi (see map, page 10). These were induced to give up this territory to the government of the United States. The first state to be added to the thirteen was that of Vermont. The State of New Hampshire claimed the land which is now Vermont; the State of New York also claimed it. The people who lived on the land claimed that they had a right to be a separate state. They formed a state constitution, and Vermont was admitted to the Union by act of Congress in 1791.

Congress makes the Territories. — You see from these statements how there came to be fifteen states. Thirteen are older than the United States Constitution, Texas was taken in from a foreign country because the people of Texas wanted to join the Union, and Vermont was made on account of a dispute about boundaries between the two states. Nearly all the other states in the Union have been formed by act of Congress. The Constitution gives to Congress full power to govern the territory which is not in the States. This territory Congress can divide in any way it pleases. It has been the habit of Congress to mark off a portion of the land large enough to make a state, and give to the people who live on the land the power to elect a legislature. Such a body of

land is called a Territory, and its government a territorial government. The President of the United States appoints a Governor and Judges, to execute the laws made by the legislature of the territory; and in this way the people who live in one of these territories made by act of Congress come to have a government nearly like the government of a state.

How Territories become States. — When the people who live in one of the territories become numerous, they always want to have a state government. They want to elect their own Governor and their own Judges, and to have a share in electing the officers of the United States. They ask Congress for the privilege of becoming a state ; Congress passes a law granting their request, and the people of the territory make for themselves a state constitution. They send a copy of this constitution to Congress, and if Congress passes a law approving of the constitution, the territory is admitted as a new state. In every state constitution made in this way you will find a careful description of the boundaries of the state. If any dispute arises between two states about their boundary, the Supreme Court of the United States settles the dispute.

Congress cannot change the Boundaries of States. — When a territory becomes a state, then Congress has no more power to change the boundary. The boundary of a state can be changed only by the consent of the state legislature. If the people of a state wish to have two states formed out of the land, the state legislature would have to pass an act approving of the division, and Congress would also have to approve of it. West

Virginia was made in this way out of land which had been a part of Virginia. Two states might be united into one, if the legislatures of both the states should vote for it, and if Congress should also favor it.

State Lines Fixed for all Time.— You see from this that Congress has made most of the state boundaries; but when the state is once made Congress has no power to change it. The state lines when once fixed are likely to continue as long as the government of the United States exists.



CHAPTER III.

COUNTIES, TOWNSHIPS AND CITIES.

States divided into Counties.— If you examine the map of a state, you will see that it is divided into counties. Every state is thus divided except Louisiana: in this state the word parish takes the place of the word county.

The County furnishes the Court-house and the Jail.— We have seen that thirteen states are older than the United States Constitution. It is probably true that every state has counties in it which are older than the state constitution. Wherever civilized people live they need a court-house and a jail, so that those who violate the law may be kept in the hands of the officers of the law. The county is the local government which furnishes the court-house and the jail.

County governments do many things beside furnishing a court-house and a jail, but these are sufficient to explain the geography of the county. The court-house should be near enough to every part of the county for one to be able to drive to it and return in one day. When a sheriff arrests a criminal he ought to be able to get him to the jail on the day of arrest. You will see by examining the size of counties in the various states that there are few in which any part of the county is more than twenty-five miles from the court-house, or the county jail.

Counties are a Part of the State Government. — It is the duty of Congress to make laws for the formation of counties in the territories which have not yet become states. But when a territory becomes a state, Congress ceases to have any power over the counties. The geography and the government of the county are then entirely in the hands of the state. The county government is a part of the government of the state. The government of the United States makes no use of counties.

How County Lines are Located. — If nothing is said about counties in the state constitution, the state legislature has full power over all the counties of the state, and may change the county lines in any way it pleases. But in many of the states the people have felt such an interest in their counties that they have taken away from the legislature part of the power over them, by saying something about the subject in the state constitution. Some of the state constitutions say that the legislature shall not make a new

county having less than four hundred square miles. Other constitutions fix the limit at six hundred square miles, and still others at nine hundred. Some state constitutions say that the legislature, in forming a new county, shall not run the county line nearer than ten miles from the county court-house of another county. Some of the constitutions say that the legislature shall not make any change in a county line without getting the consent of the voters in the counties affected by the change. In those states in which the legislatures have full power over counties, it is the habit of the legislatures to make no changes in the county lines unless the people who live in the county want the change made. In this way the counties in all the states become a fixed and unchanging part of the political geography of the state.

Capital Cities of Counties, States, and the United States. — You have learned from your geographies that the United States has one city called the Capital. It is the city containing the Capitol-Building, and in it the chief officers of the government are located. You have learned also that each state has a capital city and a Capitol-Building. Each county has likewise a town called the county-seat. The chief county building is the court-house. The Capital of the United States was located by act of Congress. The Capitals of some of the states have been located by the act of the state legislatures ; others by special vote of the people ; in still others the people have located the state capital by statements in the state constitution. The county seat is located by act of the state legislature, or according

to the provisions of the state constitution. In nearly all cases, however, the voters of the county are allowed to decide where the county seat shall be; and after the place has been fixed, it is not often changed.

Every County has a Sheriff.—There are a great many kinds of county officers in the different states, but there is one officer found in every county in all the states, and that is the Sheriff. The courts for the trial of the chief criminals, and the courts for the trial of all important cases at law are held at the court-houses in the various counties. The Sheriff is the chief servant of these courts. He arrests criminals, summons witnesses, seizes property and sells it for the payment of debts, and does everything which the courts order him to do.

Counties are divided into Areas for Offices of Justice of the Peace and Constable.—There is need of a local government smaller than a county. A crime is committed, and the Sheriff may be twenty miles away. Some officer ought to be near at hand to prevent the criminal from escaping. In cities this is provided for by policemen and police courts; in country places by a Constable and a Justice of the Peace. Within a few miles of every home there is a Justice of the Peace. When a crime is committed, some one who is interested in having the criminal punished informs the Justice of the Peace, and he orders the Constable to arrest the one accused of the crime, and to bring him before the Justice. If it is a serious crime, such as murder or burglary, the Justice, if he finds enough evidence against him, orders him to be

held until the meeting of the court at the county-seat which has power to try such crimes. If it is a petty crime, such as stealing a small sum, the Justice tries the case and punishes the offender. The county is divided into smaller areas, and in each of these areas one or more Justices of the Peace are chosen, and one or more Constables.

Various Names for the Area for the Justice of the Peace. — In many of the states of the Union the divisions of the county are called Townships. In New England and a few other states they are called Towns. In Virginia the county is divided into Magisterial Districts. In a few states these divisions are called Precincts. Of these names the one which you should remember is the Township. If you happen to live in a state where some other name is used, you should remember that the more common name is Township. There is much difference between township governments in the different states ; but in every Township there reside the Justice of the Peace and the Constable.

Other uses of Townships. — The township has many other uses besides that of furnishing an area for holding a Justice's court. On election day every voter is expected to go to the place of voting. Many of the voters do not own horses. The voting place should be so near to each man's home that he can conveniently walk to it and return. In the country places the township answers this purpose. In cities much smaller areas are used, so that the election officers in the few hours allowed for voting, may determine who have

a right to vote, and may receive all the votes. Townships also usually furnish officers to repair roads, to furnish aid to the poor, and to make lists of taxpayers and the property upon which taxes are collected. In some of the states these things are done partly by county officers and partly by township officers.

The making of Townships. — As the township is the subdivision of the county to attend to matters of local government for which the county is too large for convenience, the geography of the township is determined by the same government as the county; that is, the state government creates the township. In some states the legislature divides all the counties into townships. In other states the legislature makes a law giving to a county legislative board, or to a county court, the power to divide the county into townships, or to change the boundaries of townships. In most cases the law gives to the people of the locality the right to decide by vote whether township lines shall be changed.

Townships made by Congress. — We have seen in a former chapter that the greater part of the land of which the states are now composed at one time belonged to the government of the United States. In order to divide this land into convenient pieces for farms, Congress passed a law requiring all the public lands to be surveyed in a certain way. First, the United States surveyors mark off the land into squares six miles across. This square is called a township. Then each township is divided into thirty-six squares

a mile across, and these are called sections. Each section is divided into sixteen squares a quarter of a mile across. These are forty-acre lots. The government sells the land to the people in lots of forty acres, or in sections, or in townships.

The Congressional Township used also as a Local Government Township.—You will notice that the word township in this law of Congress is used to name a piece of land six miles

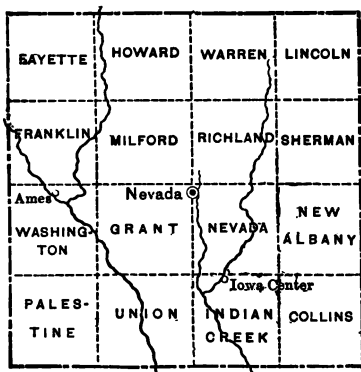
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

DIAGRAM OF A TOWNSHIP DIVIDED
INTO SECTIONS.

square, and the same word is used to name the division of the county for holding a Justice's court and for other purposes of local government. This is not an accident. Congress expected that the states would form township governments, and it was thought that six miles square was a convenient size for a township government. Congress has no power to compel the states to organize townships, or to follow the lines which the United States surveyors have established; yet this law of Congress compels the people to use the word township in the location of their farms. The word is applied to a piece of land of a convenient size for a township government. This

has had a great influence over the states in the location of all the lines for political geography.

Lines fixed by Congress are used also as County Lines.—If you again examine a map of the United States which shows the county lines, you will see how great has been the influence of this law of Congress. In the old states, where the land was already divided into farms, county lines are irregular and crooked. In the western states the lines are regular and straight, and they run east and west, and north and south. If you look at a township map of one



STORY COUNTY, IOWA.

of the western states you will find that the counties are generally made up of squares six miles across. Many counties are twenty-four miles square. Such a county contains sixteen of the townships according to the United States survey. It usually will be found that these are also organized as civil

townships according to the laws of the state. The states have thus made use of lines fixed by law of Congress as the boundaries of townships and counties. The accompanying map of Story County, Iowa, represents a common western county. There are sixteen townships, each six miles square, and the lines all correspond with the Congressional survey.

Townships divided into Road Districts and School Districts.—The township is usually of such a size, that where there is but one voting-place in it the voter may conveniently walk to it and return in less than half a day. It is desirable to have local government divisions still smaller. A bridge on a public road gets out of repair, and if the officer lived six miles away it would be inconvenient to notify him. The township is, therefore, often divided into road districts. The township is also divided into school districts. In most townships, it would be quite impossible for small children to attend school regularly if there were but one school in the township.

Special Areas for Dense Populations.—Where multitudes of people live near together, as they do in large cities, a different sort of local government is needed from that which is suited to people who live on farms. The city needs to have the streets paved. It needs a fire department. For the uses of the fire department, and for the uses of the citizens, it needs a common water supply. It needs a supply of lights for the streets and for the dwellings of the citizens. It needs a street-car service. There is need of trained policemen dressed in uniform. To supply all these and various other needs of the city, all the states provide special governments for dense populations. The government and the geography of cities are determined in the same way as the geography of the counties and townships.

Summary.—1. The boundaries of the United States have been fixed by treaties made with other govern-

ments. In several cases land has been purchased of other countries. In one instance the extension of our boundaries led to a war with Mexico. 2. The United States is divided into states and territories. The boundaries of the thirteen original states were fixed by the authority of the English government. The boundaries of the greater part of the other states were fixed by law of Congress marking off the land for a territorial government. When the territory becomes a state, then Congress has no power to change its boundaries. The boundaries of a state can be changed only by the consent of the state legislature. 3. The states are divided into counties. The boundaries of counties are established by the state legislature, or by the state constitution, or by the vote of the people living in the county. 4. Townships are established by the state legislature or by a county legislature; likewise, the state legislature must provide for the organization of cities and other special governments for dense populations.

The states govern by the help of counties, townships, towns, cities and school districts. We call all these local governments. The United States, or the government at Washington, has no local governments to assist in governing. Officers are appointed to assist the President to execute the laws passed by Congress. Congress may create districts, so that each officer may have a certain place for his work; but Congress does not use a local government to assist in governing.

PART II.

LOCAL GOVERNMENT.

CHAPTER IV.

EDUCATION BY THE GOVERNMENT.

Family and Church Schools.—In all the states of the Union the work of education is carried on chiefly by the state government. If you learn how the government conducts the business of educating the people, it will then be easy for you to understand how it does a great many other things.

The States educate the People.—If you remember what was said in a previous chapter about the political geography of the United States, you will know that there is a government at Washington which attends to a few things of general interest to all the people, such as the post-office business. You will also remember that this government at Washington came into possession of all the lands outside of the boundaries of the first thirteen states. This government at Washington does not have power to organize school districts in the states, and to carry on a system of general education for all the people ; nor can it make laws to compel the states to do this. Each state can do as it pleases in the matter.

The United States gave the States Land to be used for supporting Schools. — But there is one thing which the government at Washington did do, and which has had a great deal of influence upon the states. It gave to the states land, on condition that the states would use the money which they should receive for the land for the education of the youth of the state. This land, as you know, was marked off into squares. First, there were the squares six miles each way, called townships; then these squares were divided up into mile squares, called sections. A section near the center of each township was given by Congress to all the newer states for the support of common schools; these sections were called "school lands." In this way Congress placed within a few miles of every home something to remind the people of their duty to educate their children. If Congress could not force the states to provide for the education of their citizens, it could hire them to do it. The states have received lands from Congress for the support of common schools; they have thus become bound to maintain a system of public education. Congress has also given lands to the states to be used by them in maintaining state universities and agricultural colleges.

Schools of the United States. — The United States government maintains a few schools. There is one at West Point, New York, for the education of soldiers, and one at Annapolis, Maryland, for the education of seamen. At Fort Whipple, Virginia, the government maintains a school for the education of officers in the

signal service. These schools are all to educate officers of the government of the United States.

The State Legislature provides for School Districts. — Before there can be a system of public education in a state, the state legislature must act. In many states the people have felt such a deep interest in the subject that they have inserted statements in their state constitutions requiring the legislature to pass laws for the establishment of a system of common schools. One of the most important things for the legislature to do is to make laws for the organization of school districts.

CHAPTER V.

HOW THE WORK IS DONE.

What the School District does. — In the various states there is much difference between the school districts, though the things to be done are very much the same in all.

1. Locating the School. — It is necessary that a place for holding the school be fixed upon. In some states the laws provide that the place shall be selected by the school officers ; in others, the people of the district are permitted to decide by vote where the school shall be located.

2. Buying the Land. — Having determined the place, it is needful to secure land for the school-house and play-grounds. The land is owned by somebody,

and if the owner cannot be persuaded to sell it, the state government gives the school officers the right to take the land and pay for it what disinterested persons think it is worth. The School District thus becomes the owner of the land.

3. Building and Furnishing. — Having secured the necessary lands, the district proceeds to erect the necessary buildings for the accommodation of the school, and to furnish the school-house with apparatus for the use of the school.

4. The Teacher. — There can be no school without a teacher. In some states the districts are permitted to employ any one they please as a teacher; but in most states, before one is permitted to teach a school, he is required to be examined by a school officer, and receive a certificate stating that he is sufficiently well informed to teach a school. In most of the states the examination is conducted by the county superintendent. The officers of the school district may then employ as a teacher any one they please who has a proper certificate of qualification.

5. Getting the Money. — The district must have money to meet the expenses of the schools. This is done in many ways. The land given by the government of the United States to the states for the support of schools is in many cases sold by the state, and the money thus obtained is kept as a permanent fund, which is loaned to persons wanting to borrow money, and the interest used to help meet the expenses of the schools. But this is only a small part of what is needed. In some of the states the state legislature

levies a tax upon all the property in the state, and in this way secures an additional fund for the schools. In nearly all cases the school district itself levies a tax upon the property within the district for the support of the schools. This tax may be levied by the district officers, or it may be levied by a vote of the electors of the district.

6. Borrowing. — It is sometimes desirable for the district to pay at one time a large sum of money for a piece of land or for new buildings. If the taxpayers should be required to furnish money enough at one time for such a purpose, it might cause a good deal of hardship. To meet an unusual expense of this sort, the state laws give to the school district the power to borrow money. The officers of the district issue notes or bonds bearing interest, and payable after a term of years. In this way the district secures at once the cash to pay for the land and the building, yet the notes or bonds may be so arranged that the taxpayers may be ten years in paying them off. This getting the district into debt is felt to be so important that nearly all the state legislatures limit the power of the district to go into debt. That is, they make a law that a debt shall not be contracted except for certain purposes named in the law ; or that the amount of the debt shall be not more than a certain per cent. of the value of the property upon which the tax is levied ; or, lest the school officers be tempted to incur a debt which the taxpayers of the district do not approve, the laws in many states forbid the officers to issue bonds without submitting the question to the voters of the

district, and securing the approval of a majority of them.

The School District is a Body Corporate. — These are only a few of the things which the school district is accustomed to do. You will please notice that the district is not simply a piece of land. We say that the district buys land ; it builds houses ; it levies and collects taxes ; it borrows money. When we talk thus, we are thinking of the people of the district. There may be within the district a thousand people. How can a thousand people borrow a sum of money, and give a note agreeing to pay it in five years ? A thousand people may own a railroad, and they may need to borrow money. Before they can do this, the owners of the road must be incorporated, or become a “body corporate,” as we say, according to the laws of one of the states ; then they are called a Railroad Company. This means that the owners of the road become so united that they are enabled to conduct their business as one man would do it. The laws of the state make each school district a body corporate ; the entire district is thus enabled to do business like a railroad company. The district, through its officers, may bring a suit in a court of law, and collect damages from one who may have injured its property ; or a creditor may sue the district, and compel it to pay its debts.

Every Citizen belongs to a School District. — One becomes a member of a railroad company by owning part of the stock ; one becomes a member of a school district by living within its limits. It is not a voluntary act ; every inhabitant is obliged to belong to a

school district, whether he will or not. If he goes from one district he enters another, and if he remains he becomes a part of it.

The School District is a Little Republic. — The school district is much more than a business company, to own property and make and enforce contracts ; it is itself a sort of little republic or little democracy. Many of the acts are legislative in character. The fixing of the rate of taxation for school purposes, the fixing of the length of the school year, the number of teachers to be employed, the rate of wages to be paid ; these, and many others, are acts of legislation. The district attends to this legislative business either in an assembly of the voters of the district in a public meeting, or the voters attend at a school election and choose a district legislature, called a School Board, to decide these questions for them. The School Board sometimes adopts a set of rules for the government of the pupils during the hours of school ; in other cases, this form of legislation is left to the teacher.

The School District is Created by the State and is a part of the State Executive. — The United States, as was stated in a former chapter, is an independent republic. We have seen also that each state is much like an independent republic. But the school district is not an independent republic. The state legislature creates the school district, or provides for its creation. And these local legislative acts which the school district performs are such as are commanded by the state legislature, or are permitted by it. There are some things which the state laws require the school districts

to do. In this way the school districts become a part of the state executive, or a means of carrying into effect the laws of the state.

Two meanings of the words School District. — You will please notice carefully that there are two distinct meanings of the words school district. We often use the term when we mean simply the geographical area ; as when we say, the county is divided into school districts. Again, we mean by the term the union of the people as a company to own property, make contracts, and carry on business ; and the organization of the people into a local government, to exercise a part of the authority of the state and to assist the state in the execution of its laws.

The City Superintendent. — In large cities the business of education differs much from that of the country districts. Thousands of pupils may be brought under the management of one school district. In that case the School Board is required to do many things not required in a country district. Among other things, they must provide for a more extensive system for grading the schools, they must employ many teachers and they must arrange for the special work of each teacher. It is customary in the large cities to employ a City Superintendent to assist the School Board in carrying into effect their plans for grading and managing the schools. The superintendent is the chief executive officer of the district. Not only does he manage and direct the government of the schools, but it is often upon his recommendation that the Board passes the votes needed for the improvement of the schools.

The County Superintendent. — The country schools are also in need of some one to look after them and see that the best methods are adopted. To supply this need nearly all the states have provided an officer, or a board of officers, to have general supervision of the work of education in an entire county, or, in some states, a special area is created for this purpose. In most states this officer is called the County Superintendent. He does for the country schools what the city superintendent does for the city schools. In some states the county superintendent does all the work of examining teachers and issuing certificates, for city as well as for country teachers. Some of the states have a county school board, or school legislature. In such states the county superintendent is the chief executive officer of this county board. In other states there is no such legislature. In such states the state legislature makes all the laws to guide the county superintendent in his official acts.

The State Superintendent. — To enable the state legislature to get the information which it needs for the making of good laws and to see that the best policy is followed in the execution of the school laws, nearly all the states have formed a state department of education. In most states the head of this department is called the State Superintendent of Public Instruction. The chief duty of this officer is to collect and publish information for the benefit of legislators and local school officers. The laws require the local school officers to collect and send to the state superintendent information on various subjects. In this and in other ways the state superin-

tendent collects information. He publishes a volume of school statistics every year, or, at least, as often as the state legislature meets, which in some states is once in two years.

The United States Commissioner of Education.—The congress of the United States makes no laws for the education of the people. There is not, therefore, an educational executive department in the government at Washington. Congress has, however, established what is called a Bureau of Education, the chief officer in which is called the Commissioner of Education. The chief duty of this officer is to collect and publish, for the benefit of all the people, such information as seems most likely to improve the schools of the country. For this purpose the Commissioner makes use of all the reports published by the superintendents of the various states, and similar reports published by foreign governments, and collects information in many other ways.

CHAPTER VI.

WHAT LOCAL GOVERNMENTS DO IN EVERY STATE.

Local Areas.— You have been told that each state is divided into counties, so that a court-house and a jail may be conveniently near to all the people. In many counties a superintendent of schools is chosen to assist the teachers of the county and the school

officers in their work. Each county is divided into smaller areas, usually called townships. In these smaller areas the justice of the peace and the constable are chosen. In some states the township is also the school district; in others the school district is separate from the township.

Schools, Roads, Care of Unfortunates, Taxes. — Besides furnishing courts to punish criminals, and officers to educate the people, the states do a great many other things. They furnish streets and highways. They provide for taking care of the poor and other unfortunate people, such as the insane, the blind, the deaf mutes, and orphans. It requires a great deal of money to meet the expenses of the courts, to maintain schools, to build roads and bridges, and for the many other expenses of the state. It thus becomes a very important business of the government to get money to meet these outlays. Officers are chosen in the townships to make lists of the tax-payers and the property upon which taxes are to be collected. The other officers examine the lists to see that no one escapes taxation who ought to be taxed, and to see that all are taxed equally. There are officers to decide just how much tax shall be collected for schools, roads, and all other objects. An officer must then take the lists of property and the lists of the money to be raised, and must figure out just how much money each tax-payer is required to pay. Then there must be collectors of these taxes, and treasurers to receive the money and pay it out as directed by the laws. There must be officers to examine the

accounts, to see that money is not stolen, and that mistakes are not made.

Hold Elections. — It is another part of the business of the government to hold elections for the choice of public officers. There are officers of the United States government to be elected, as also state officers, county officers, township officers, school district and city officers. There must be officers to make a list of the voters, or to decide who have a right to vote. On election day there must be those whose duty it is to receive the ballots, and make lists of the different officers voted for and the number of votes for each. For the local officers elected at the place of voting, the result is made known at once. But for the county officers there must be those in the county whose duty it is to receive the lists from all the voting places in the county, add them together, and declare who are elected to the county offices. There must be corresponding state officers whose duty it is to receive from each county the record of the number of votes for each state officer, and determine who are elected to the state offices. Likewise, in choosing a President and a Vice-President of the United States, a United States officer, the President of the Senate, receives lists of the votes for each candidate from all the states and determines who is elected.

Officers must be near. — The greater part of all this business is attended to in the county and the areas smaller than the county. The school must be near each home. There is need of an officer, whose duty it is to keep the roads in repair, near every part

of the public highways. Only the officer who lives near the poor can tell who ought to receive aid. The assessor and the collector of taxes ought not to be far away. The voting place must be within a few miles of each home.

Special Governments where many live together.—

All the business thus far described as belonging to local governments belongs alike to every part of the state. But there are certain kinds of local government business which do not belong to every part of the state. Where many people live near together, as they do in cities, they need a local government to do a great many things which people living on farms do not need. They need policemen dressed in such a manner that strangers may know that they are policemen. They need men trained to put out fires. They need paved streets and sidewalks, street cars, a supply of lights for streets and dwellings, a water supply for all purposes. Each state makes special laws for the government of cities and of other areas where many people live near together.

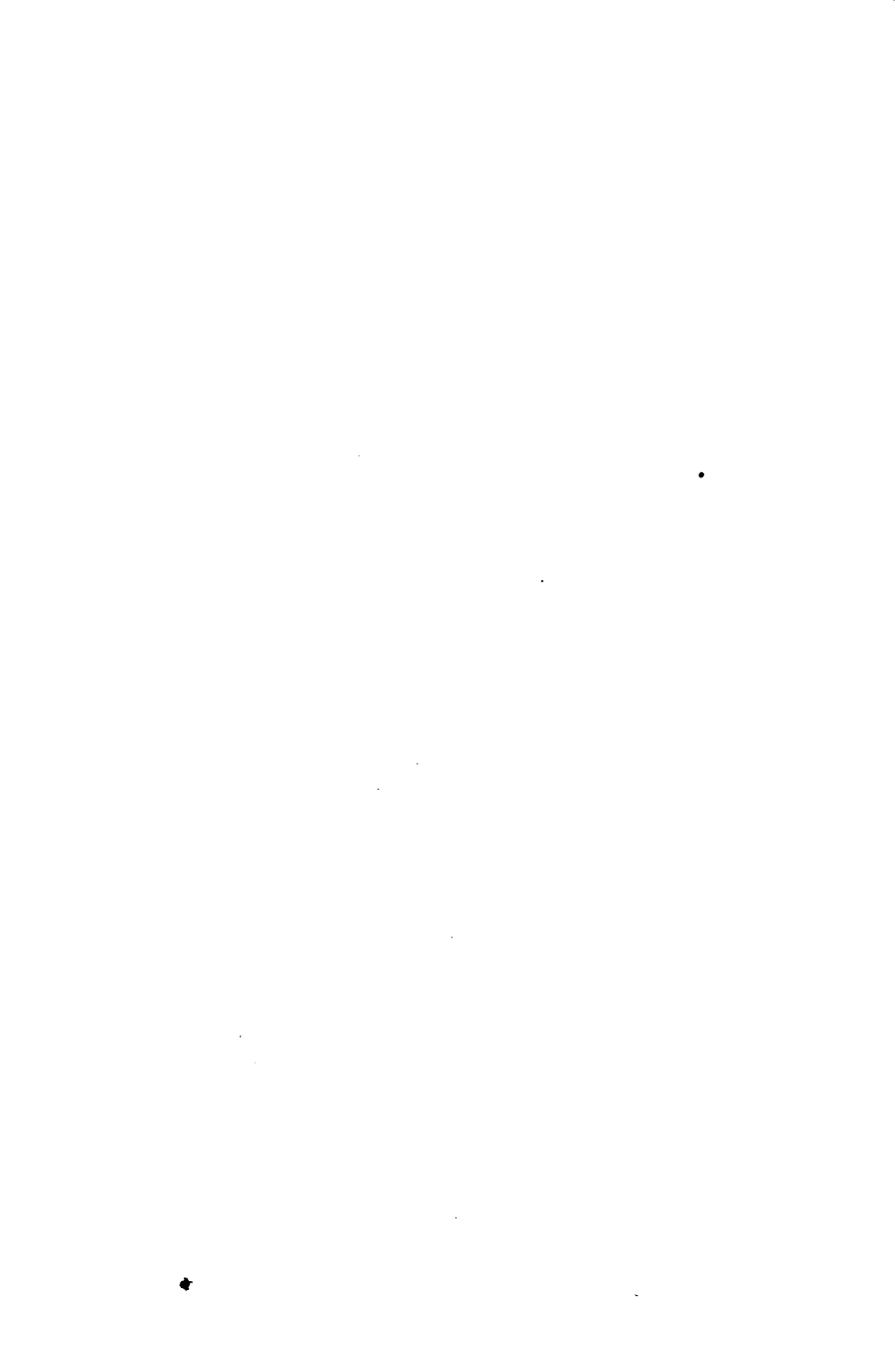
The States do things in different ways.— Each state has its own separate laws, and there is much difference in the ways of doing things in the different states. Yet, you will notice that the things to be done are the same in all. Each must furnish courts and prisons. Each provides for education, for the care of the poor, for streets and highways, for taxes, for elections and for the special government of cities. There are also many other things which each state does, but these are the most important. When you have learned how your

own state does its governing, you may know that every other state in the Union is doing very much the same things though they may be doing them in different ways.

TEACHERS' NOTE. — The blank leaves here inserted are intended to be used for an outline of the officers in the state in which the school is taught. In the chapters following there is a brief description of the methods of local government in four of the older states. It is not best to try to teach all of these chapters to young pupils. That upon the state whose methods of local government most nearly correspond to those of the state in which the school is situated should be selected. The aim should be first to teach the pupil to understand the local government of his own state. He may be helped in this by studying the local government of a state nearly like his own, while it is likely to lead to confusion and failure if the attempt is made to compare the local government of one state with four others. The chapter comparing the local governments in the different states should also be omitted when the subject is presented for the first time. After the pupil has been made familiar with his own state, and with the government of the United States, it may be found both interesting and profitable to study all the omitted chapters.









CHAPTER VII.

LOCAL GOVERNMENT IN MASSACHUSETTS.

I.

POLITICAL GEOGRAPHY.

Divisions of the State. — For purposes of local government the state of Massachusetts is divided into fourteen counties. These counties are divided into towns and cities. There are three hundred and twenty-two towns, or townships, and thirty cities.

II.

COURTS.

Justices who hold no Courts. — In the various towns there are justices of the peace who do not hold a court. These may administer oaths, marry people, and do a few other things required or permitted by law. The justices who do not hold courts are appointed by the Governor of the state for terms of seven years.

Trial Justices. — In many of the towns the lowest court is held by a Trial Justice appointed by the Governor for a term of three years. These try small cases at law, and punish such crimes as do not require a severer punishment than imprisonment for six months, or a fine of fifty dollars.

District Judges and Special Justices. — Many of the towns of the state do not have these trial justices;

instead, several towns are grouped together into districts, and district judges are appointed who hold the same sort of court as that held by the trial justice. These district judges are appointed for life, or during good behavior. In most of the cities and in some towns, this lowest court is composed of a justice, and two special justices. This court is called a Police Court, and a larger jurisdiction than that of the trial justices usually is given to it.

Courts in Boston. — In the city of Boston the lowest courts are called Municipal Courts. The city is divided into seven Municipal Court districts, each court having a like number of justices, except that of the central district, which is composed of one Chief Justice, two Associate Justices and one special justice. All of these Municipal Courts have a larger jurisdiction than that given to the district and police courts.

Lowest Court held by three different Officers. — Thus the lowest court is held by different officers in different parts of the state. 1. By the trial justice in some towns. 2. By a district judge in other towns. 3. By justices and special justices in cities and in a few large towns.

Probate Court. — In each county there is a Probate Court held by one or more judges appointed by the Governor, who also presides in the Insolvency Court. This court attends to the proving of wills, the settlement of the estates of persons who have died, the appointing of guardians, and a very large number of other matters.

The Superior Court. — The laws provide for sittings in the several counties, of the Superior Court, from twice a year in some of the less populous counties, to seven times in Essex and Middlesex and nine in Worcester, for civil and criminal business, while in Suffolk County it sits for criminal business twelve times a year, commencing on the first Monday of each month, and for civil business four times each year. This higher court is composed of one Chief Justice and fifteen Associate Justices. A Superior Court for any of the counties may be held by one or more of the justices, except in the trial of capital and certain other cases, in which two or more justices are required to hold the court.

The Supreme Court. — There is one court in the state higher than the Superior Court. This is called the Supreme Judicial Court. It is composed of one Chief Justice and six Associate Justices. These may sit together as one court or may hold court separately. This court tries many cases which can be decided by no other, and also hears cases sent up from Superior and Probate Courts, either on appeal or on what is called "exceptions" taken to the rulings of the lower judges. The Governor and Council or either branch of the legislature may require the opinion of the Supreme Court.

Town Meetings elect Constables. — Each town in the state holds, each year, a town meeting composed of all the voters living in the town. The annual town meeting elects one or more Constables who serve writs, make arrests, etc., as ordered by the lower courts.

Sheriff and Prosecuting Attorney. — Each county elects a Sheriff and a District or Prosecuting Attorney

who hold their offices three years. The Sheriff (or his Deputy) attends the sittings of the higher courts and obeys their orders. The Attorney brings actions against law-breakers.

Duties of County Commissioners. — Each county, except Suffolk and Nantucket, elects three Commissioners and two Special Commissioners whose duty it is to furnish court houses for the use of the higher courts, jails and other necessary public buildings. They lay out new highways and alter or discontinue old ones. They also make up annually to be laid before the legislature estimates of taxes necessary for the payment of all county debts and expenses for the ensuing year; they apportion the county tax among the towns when the legislature has authorized its assessment, and perform a great variety of other duties.

III.

SCHOOLS.

The Town Meeting provides for Schools. — At the annual town meetings the voters elect members of a School Committee. These hold office three years, and one-third of them are elected each year. In some of the towns the number of members of the committee is three; in others it is six; in still others it is nine. The citizens decide at the town meeting some of the more important matters connected with the schools, and vote taxes for their support upon estimates of the School Committee, but the latter has authority to contract and bind the town for the expenses of the schools.

The Duties of the School Committee. — It is the duty of the School Committee to execute the laws made by the state legislature in relation to the maintenance of public schools. A state law requires them to examine and employ teachers, to visit the schools and to supervise the teachers in matters of discipline. They are required to adopt and supply to the pupils the text-books to be used in the schools. They may make rules for the good order of the schools. They fix the salaries of teachers and usually attend to ordinary repairs of school property. It will be seen from this, that the school committee is in part a body to execute state laws, and in part a law-making body to make rules for the government of the schools.

School Superintendents. — The counties in Massachusetts have almost no share in the work of education. In many states the county elects a superintendent of schools to do part of the work done by the school committee in Massachusetts. In the cities of Massachusetts the school committees usually employ a superintendent. Any town may vote at town meeting to employ a superintendent, and it then becomes the duty of the school committee to employ one. Two or more towns near together may unite and employ one superintendent for all their schools. From this it will be seen that nearly all the work of educating the people in towns is done by the town meeting and the school committee.

IV.

ROADS; CARE OF THE POOR.

What the Town does for Roads and Bridges. —

The voters at the annual town meeting decide upon the various things which need to be done for the improvement of the streets, roads, side-walks, and bridges of the town. They vote the taxes which they think to be necessary for the improvement of the roads. They elect from three to nine Selectmen, whose duty it is to see that all orders about the roads are executed. The town meeting also elects officers called Surveyors of Highways, whose duty it is to assist the selectmen in keeping the roads in repair. The same man is sometimes elected both Selectman and Surveyor. The selectmen usually divide the town into as many districts as there are surveyors of highways, and it is made the special duty of each Surveyor to repair the roads in his district. If there is a bridge on the line between two towns, the county commissioners decide what share of the expense of keeping up the bridge shall be paid by each town. The county commissioners may decide that the county shall assume the expense of a bridge which they think to be of importance to the whole county. These county officers may also locate county roads and say what share of the cost shall be paid by the different towns. Thus it seems that the building and care of the roads is chiefly in the hands of the towns. The county locates them and assists in special cases in building them and keeping them in repair.

Town and County provide for Unfortunate Persons. — The care of the poor is another subject which comes before the voters at the annual town meeting. The voters decide what plan shall be followed. They estimate the cost of the measures adopted and vote the necessary tax to meet it. It is the duty of the selectmen of the town to see that all laws for the care of the poor are executed. The law requires all of the towns to elect officers called Overseers of the Poor whose duty it is to execute the poor laws. Certain classes of unfortunate persons receive some aid from the county.

V.

TAXATION.

How Taxes are Voted. — The state legislature votes taxes to meet the expenses of the state; and the laws of the state determine how much of this each city and town shall pay. The citizens in the town meeting vote the taxes for the expenses of the town and the schools. All these taxes are collected by the town.

The Clerk and the Assessors. — The town clerk has copies of the votes and acts which determine just how much money is to be raised for each purpose. The voters in town meeting elect three or more Assessors of taxes. It is the duty of these assessors to make a list of all the taxpayers of the town, and the amount of property which each owns upon which taxes may be collected. The assessors learn from the Town Clerk, who is the secretary of the town meeting, the amount of the taxes to be raised. From this they make out

the rate of taxes on the property and the amount of taxes to be paid by each tax-payer. The assessors write this out in a book and give it to the tax-collector.

How Money is Collected and Paid Out. — At each annual town meeting a Town Treasurer and a Tax-Collector are elected. The collector, having received from the assessors the book showing the taxes due from each tax-payer, issues orders to the tax-payers to pay the amount due. If this order is not obeyed it becomes the duty of the collector to seize property of the tax-payer who has not paid his taxes and sell it for the taxes. If a tax-payer feels that he has been dealt with unfairly by the assessors, or by the collector, he may appeal to the county commissioners for justice. It is the duty of the Treasurer to receive the money and to pay it out on the orders of the officers who are empowered by law to issue orders for the same.

The Town Auditor. — At the annual town meeting the voters are required by a state law to elect a Town Auditor, whose duty it is to examine the accounts of the treasurer and every other town officer who receives and pays out town money. This is done in order to see that the books are kept properly, and to make it more difficult for dishonest officers to make unlawful use of the town's money.

VI.

ELECTIONS.

The Election of Town Officers. — Many of the town officers are elected at the annual town meeting. This meeting is held in the spring, usually in

March, and is presided over by one of the citizens who for that purpose is elected to the honorable office of Moderator. The laws of the state require that the more important of the town officers, such as the selectmen, the town clerk, the treasurer, the assessors, the constable, and the school committee, shall be chosen by ballot. The other town officers may be chosen in open meeting by a show of hands or by voice. Besides the officers already named, the towns may elect field-drivers to take care of animals found in the highways; fence-viewers to settle difficulties about line fences; sealers of weights and measures to see that correct measures are used in trade. If at the town meeting the citizens vote to establish a town library, they elect, each year, trustees to have charge of the library.

The Australian Ballot Law.—It is the duty of towns and cities to hold elections for the choosing of county, state, and United States officers. Massachusetts has adopted for use in the cities, and in such towns as vote to adopt it, what is called the Australian plan for securing a secret ballot.

Nominations.—This plan requires that all candidates for office shall be nominated in a certain way. Several weeks before the time for holding the election the different political parties nominate candidates for the various offices. Citizens, independently of the political parties, may also nominate candidates for the offices by signing their names to a paper requesting that the name of a particular candidate be placed on the ballot.

The Printing of Ballots. — The names of all the candidates for the different offices are sent to a state officer called the Secretary of the Commonwealth. It is his duty to print the names of all candidates for all the offices on the ballots; and several days before the time for holding the election he is required to send to the clerks of all the towns and cities enough ballots to supply all the voters on election day.

The Registering of Voters and the Making of Election Districts. — It is the duty of the selectmen of most of the towns, and of the mayor and aldermen of the cities, to appoint registrars of voters, whose duty it is to prepare lists of all who have a right to vote in the towns and cities. It is also the duty of the selectmen, and of the mayor and aldermen, to divide the towns and cities into voting precincts, so that there shall be no more voters in each precinct than can easily cast their votes during the few hours allowed for voting.

The Appointing of Election Officers. — It is the duty of the selectmen of the towns which are divided into voting precincts, and of the mayor and aldermen of the cities, to appoint a Warden, a Clerk and Inspectors of Elections for each precinct. These officers are to be equally divided between the two chief political parties; and it is their duty to hold the election. In towns not divided into voting precincts the selectmen act as election officers and appoint ballot-clerks to assist them.

How the Voting is done. — An enclosed place is arranged in which the election officers take their places. Not more than four voters in excess of the number of

marking shelves or compartments provided are admitted within the enclosed place at one time. The officer gives to the voter one of the official ballots containing the names of all the candidates. The voter takes the ballot to a place provided, where his hands cannot be seen, and makes a cross [X] opposite to the name of each candidate for whom he wishes to vote. A space is left on the ballot so that the voter, if he is not satisfied with any one of the candidates for an office, may write the name of one who suits him. When he has finished marking the ballot he folds it while his hands are still out of sight, and deposits it in the ballot-box. The ballots are all just alike and are folded in the same way; and it is therefore impossible for any one except the voter himself to know how he has voted.

VII.

GOVERNMENT OF DENSE POPULATIONS.

The Town Meeting Makes Many Laws. — The town meeting is an important part of the government of Massachusetts. The town meeting adopts plans for the government of the town as the state legislature adopts plans for the government of the state. That is, the town meeting is a sort of town legislature. But in the town meeting all the voters in the town have an equal share. We call that a pure democracy in which all the citizens vote directly for the laws which govern them. The towns are little democracies. Besides doing the things described above, they are permitted by the laws of the state to do a

multitude of other things. The town meeting may mark off certain parts of the town where there is a dense population, and may provide for such a district a fire department, a street-car service, a general water supply, and a system of lighting by gas or electricity. The town meeting may make all the rules and laws which are needed to govern a city. The selectmen of the town and the town meeting together have nearly all the legislative and executive powers that are usually exercised by the mayor of a city and the city council.

Cities in Massachusetts.— Because each town in Massachusetts has so many powers no provision is made for the special government of villages. The laws of the state do not permit the organization of a special city government until a population of twelve thousand has been reached. In the entire state, only thirty cities have been organized. When the population becomes large it is inconvenient for all the voters to meet in one place and adopt rules for local government. The city organization makes it possible for the voters to meet and elect representatives to a city legislature, called a City Council. The city laws are made, not by the people themselves, but by representatives whom the voters elect. A city is much like an independent republic. It has a legislature to make city laws. It has a Mayor who is the chief executive officer, corresponding to the Governor of a state or to the President of the United States. It has municipal courts to assist in enforcing city laws.

How City Laws are Made.— In a majority of the cities in Massachusetts the city charter provides for two

houses in the city legislature, or the city council. The upper house is called a Board of Aldermen, and the lower house is called the Common Council. A majority in each house must vote for a measure before it becomes a law. A copy of the law is then presented to the mayor for him to sign. If the mayor does not like the law he may send it back to the city council, giving the reasons why he thinks it ought not to be a law. This is called "vetoing the law." After the mayor's veto, two-thirds of the members of each house must vote for the measure, or else it cannot become a law.

City Officers. — Besides the mayor, and the city council, there are many other officers required to govern a city. The mayor, like the President of the United States, has to appoint many officers to assist him to execute the laws.

MASSACHUSETTS. — TOWN GOVERNMENT.

The chief legislative power is in the hands of the Town Meeting, composed of all the legal voters in the Town.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPEN- SATION.
Selectmen	3 to 9	Elected by Town Meeting	1 or 3 years	Act as chief executive officers	Fixed by Town
Town Clerk	1	"	1 year	Keeps records of proceedings of Town Meetings, and other Town Records	Fees
Overseers of Poor	3 or more	"	1 or 3 years	Execute laws relating to the Poor	Fixed by Town
Surveyor of Highways, or Road Com- missioners	1 or more	"	1 year	Assist Selectmen in executing laws relating to Roads	"
Assessors	3 or more	"	1 or 3 years	Make list of tax-payers and taxable property	\$2.50 per day
Assistants if needed	3 or more	"	"		Fees
Constable	1	"	1 year	Acts as chief police officer. Waits on Justice's Court	Salary fixed by Town Meeting
Treasurer	1	"	"	Receives Town money, and pays it out on orders of Selectmen and other Town officers. Receives taxes	"
Collector (may be same per- son as Con- stable or Treasurer)	1	"	"	Compels payment of taxes.	"

Auditor	1 or more	"	"	Examines accounts of all Town officers receiving Town money	Fixed by Town
School Committee	3 or a multiple of 3.	"	3 years	Executes laws pertaining to schools. Makes laws for management of schools. Examines teachers	"
Trustees of Public Library	3, 6, or 9	"	"	Have care of Public Library	"
Wardens	1 for each Ward	Appointed by Selectmen	1 year	Preside over election	"
Clerks	"	"	"	Keep record of election	"
Inspectors of Elections and Deputy Inspectors	2 each Ward		1 year	Receive and count votes at general elections. Act as Ballot Clerks.	"

Field Drivers, Fence Viewers, and other minor officers may be elected by Town Meeting.

MASSACHUSETTS. — CITY GOVERNMENT.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSATION.
Mayor	1	Elected by City	1 year	Acts as chief executive officer of the City	Fixed by City
Board of Aldermen	Fixed by Charter	Elected by City or Ward	Fixed by Charter	Make laws for government of City	"
Common Council	"	Elected	"		"
School Committee	3 or a multiple of 3	Elected	3 years	Manage public schools	None
Police and other officers		Appointed by Mayor, or by Council		Assist in execution of laws	"

MASSACHUSETTS. — COUNTY GOVERNMENT.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSA- TION.
Commissioners	3	* Elected by voters of County	3 years	To have general management of County business, and have limited powers of legislation	\$400 to \$5400
Special Commissioners	2	* Elected by voters of County	"		\$3 a day and mileage
Treasurer	1	* Elected by County	"		\$300 to \$2500
Register of Deeds	1 to 3	Elected by County or District	"	Records deeds and other legal documents	Fees
Sheriff	1	Elected by County	"	Acts as chief police officer of County. Waits upon County Courts	\$300 to \$3000 or more, or fees
Prosecuting Attorney	1	Elected by County		Brings legal action against criminals	
Clerk of Courts	1 to 3	Elected by County	5 years	Keeps records of Courts held in County. Acts as secretary of County Commissioners	\$600 to \$6500.
Board of Examiners	Composed of Judge and Register of Probate Court, and Clerk of Courts, and sometimes the Sheriff			Examines accounts of County officers twice each year, and certifies to their correctness	\$3 a day and mileage
Medical Examiners	1 to 11	Appointed by Governor with advice of Council	7 years	Act as Coroners	Fees; in Suffolk, \$4000
Register of Probate and Insolvency	1	Elected by County	5 years	Keeps record of Probate and Insolvency Courts.	\$700 to \$5000

* Except in Suffolk and Nantucket.

MASSACHUSETTS. — STATE GOVERNMENT.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSA- TION.
Governor	1	By vote of People of State	1 year	Acts as chief executive officer of the State	\$8000
Lieut.- Governor	1	By vote of People of State	"	Presides over Executive Council in absence of the Gov- ernor. Acts as Governor in case of vacancy	\$2000
Executive Council	8 members beside Gov- ernor and Lieut.-Gov.	Elected by Councillor Districts	"	Has powers respecting appointments, and management of State money, and other matters. Gives advice to Governor	\$800 each.
Secretary of State	1	Elected by State	"	Keeps State records and State seal. Publishes laws and other documents	\$3500
Treasurer and Receiver- General.	1	Elected by State	"	Keeps State money and bonds. Pays out money as ordered. Invests school fund. Keeps standard of weights and measures	\$5000
Auditor	1	Elected by State	"	Business manager for State. Audits all claims against State, and certifies the same to Governor	\$3500
Attorney General	1	Elected by State	"	Gives legal advice to State officers. Conducts suits on behalf of State. Gives advice to District Attorneys	\$5000

Various Boards appointed by the Governor and Executive Council have special duties, indicated by their names ;
such as, the Board of Lunacy and Charity, Board of Health, Board of Agriculture, Railroad Commissioners, Board of
Education, etc.

Senators	40	Elected by Senatorial Districts		Make laws for the Government of the State	\$750
Repre- sentatives	240	Elected by Representative Districts			\$750
Justices of Su- preme Court	7	Appointed by Governor and Exec. Council	During good be- havior	Hear cases appealed from lower Courts	Chief Justice, \$7500; Asso- ciates, \$7000

CHAPTER VIII.

LOCAL GOVERNMENT IN NEW YORK.

I.

POLITICAL DIVISIONS.

Political Geography of New York. — The state of New York is divided into sixty counties. The counties are divided into towns [townships] and cities. The cities are divided into wards. The towns are divided into school districts. Many of the towns contain incorporated villages which have local governments of their own. The people living in such a village are subject to both the township government and the village government. There are unincorporated villages which have only the township government. The local governments are five in number. 1. Counties. 2. Towns. 3. School districts. 4. Cities. 5. Villages. The ward in a city is not a separate local government. By means of these local governments the people are furnished with courts of law, schools, roads, the care of the poor, the means for collecting taxes, the holding of elections, the keeping of valuable records and many other services.

II.

COURTS.

Justice of the Peace and Constable. — The voters in each town elect a number of justices of the peace, usually four. These hold office four years. They fur-

nish the lowest court for the trial of the less important cases and for the punishment of small crimes. Constables are also elected in the towns, to attend the courts of the justices and to obey their orders. In the large villages and in the cities the lowest courts of criminal jurisdiction are held by police judges elected for that purpose.

County Courts.—The voters in each county elect one County Judge (Kings County elects two Judges) who holds his office for six years. He tries civil cases in which the amount of money involved is not more than two thousand dollars, and such criminal cases as were formerly tried before the Court of Sessions. He has also other duties required by law. In counties with a population of more than 40,000 there may be a Surrogate elected, in the same way and at the same time as the County Judge, who relieves the County Judge of certain duties belonging to that office in the less populous counties, such as the proving of wills and the settling of the estates of persons who have died. This court in other states is called the Probate Court. The legislature may give to the Supreme Court in counties with a population of more than four hundred thousand the powers of Surrogates.

The Supreme Court.—The legislature has divided the state into eight judicial districts. The voters in each of these districts elect several justices called Justices of the Supreme Court, whose term of office is fourteen years, and who hold courts in the various counties for the trial of cases more important than those the county judge is permitted to try. The state

is also divided by the legislature into four judicial departments, and the Governor appoints from all the Justices of the Supreme Court seven justices in the first Department and five in each of the others to hold what is called an Appellate Division of the Supreme Court. To the Appellate division is now given the work formerly done by the Supreme Court at its General Terms and by the higher courts of the cities of New York, Brooklyn and Buffalo, and the County of New York. That is, it tries cases appealed from the lower courts and the special cases arising in the large cities.

The Court of Appeals. — There is still one court higher than any of those held by Justices of the Supreme Court. This is called the Court of Appeals. It is held by seven judges elected by the voters of the entire state, who are not allowed to hold any other office or trust. The sittings of the Court of Appeals are held in Albany, and it hears only cases appealed from the lower courts.

Expenses of Courts met by State and County Legislatures. — In each county in the state there is a County Board of Supervisors, composed of one Supervisor from each township. This board acts as a sort of county legislature. The state legislature provides for the expenses of the Court of Appeals, and pays the salaries of the Supreme Court justices. It is the duty of the county board of supervisors to provide for the expenses of all the lower courts. It must provide a place for the holding of the courts, and for the keeping of court records. It must also provide places for the keeping of prisoners.

The Sheriff, Clerk, and District Attorney. — Each county elects a sheriff, whose duty it is to attend the sittings of the courts held in the county, and to obey their orders. A County Clerk is elected in each county to keep the court records. Each county elects a District Attorney, whose duty it is to assist in the prosecution of criminals.

III.

EDUCATION.

The State Superintendent of Public Instruction. — This officer collects information about the schools of the state, informs the legislature as to the need of new laws to improve the schools and has a general oversight of all the educational work of the state, but more particularly of the work of the common schools. He publishes reports for the instruction of school officers and teachers, and gives directions to minor school officers in the administration of the laws.

The University of the State of New York. — The University is not a teaching institution, but a corporation recognized in the Constitution of 1895. It has care and control of secondary education in the public schools of the state.

School Commissioners. — The state is divided into School Commissioners' Districts. The voters in each commissioners' district elect a School Commissioner who holds office for three years. One of the smaller counties makes one commissioner's district. The larger counties are divided into two or more districts each. It is the duty of the school commissioner to divide the towns into school districts and to see that the proper officers

are chosen in each district. The commissioner is also required by law to visit the schools, to examine teachers and to issue certificates, to give advice to the district officers, and to collect information and make reports to the State Superintendent.

The Annual School Meeting.—The voters in the school district meet once each year, and oftener if necessary, to attend to the government of the district. At such a meeting they decide upon the building, the location, and the repair of the school-houses, and vote taxes for the same. They decide upon the method of furnishing the school with maps, books, and other apparatus, and vote taxes for such purposes ; and they elect, at the regular annual district meeting, school trustees, a collector of school taxes and a district clerk. In some districts only one trustee is elected, in others three are chosen. They hold office three years.

The Duties of School Officers.—It is the duty of the trustees to execute the orders of the voters made in the district meeting, and to do many things required by the state laws. The trustees employ the teachers. They also make out a list of persons liable for school taxes, and give the list to the collector of the district taxes, whose duty it is to collect the taxes. It is the duty of the district clerk to attend the meetings of the voters of the district and the meetings of the board of school trustees, and to keep a record of all official acts.

IV.

ROADS ; CARE OF THE POOR.

The Annual Town Meeting.—The voters in the various townships meet each year in an annual town meeting. At this meeting they decide various questions about the government of the township and elect the town officers. It is the duty of the justices of the peace to preside at the town meeting and to receive the votes for town officers. A town clerk is elected each year, whose duty it is to attend the town meeting and make a record of all that is done.

The Care of Roads.—At each annual town meeting the care of the roads and bridges receives attention. The voters in town meeting decide whether they will elect one Highway Commissioner each year, or three. It is the duty of the highway commissioner to divide the town into convenient road districts, and to appoint in each road district a Path Master to assist the commissioner in keeping the roads and bridges in good repair. If a bridge is situated near the line of the town, the County Board of Supervisors may decide that part of the expense of building and keeping the bridge in repair shall be paid by more than one town.

The Care of the Poor.—The care of the poor is another subject which receives attention at the town meeting. One or two Overseers of the Poor are elected, to see that the state laws which require the towns to care properly for their poor are executed. The county board of supervisors may provide for assisting the towns in caring for the poor. They may buy a

farm and furnish it with buildings suitable for receiving poor persons who are permanently disabled. The poor from the town may be received into the county house, and the expense of keeping them there is met by a county tax. The county board of supervisors appoints either one or two Superintendents of the Poor to have charge of the county poor. If the county board desires to do so, the laws of the state give it the power to take entire charge of the poor of the county and meet the expense by a county tax.

V.

TAXATION.

The Assessor.—At each annual town meeting the voters elect one Assessor who holds office three years. There are therefore three assessors in office all the time. It is the duty of the assessors to make a list of all the tax-payers in the town, and of all the property belonging to each tax-payer upon which taxes may be collected.

How Taxes are Voted.—The state legislature votes the necessary taxes to be raised for the expenses of state officers. The county board of supervisors determines the amount which is necessary to meet the expenses of the county. The voters in town meeting vote money for town expenses. The town clerk makes a record of all the money needed for town purposes. When the town supervisor attends the meeting of the county board of supervisors, it is his duty to take with him a copy of all these records of moneys voted for town uses. It is the duty of a state officer to send

to the clerk of the board of supervisors in each county a statement of the money to be raised for the state. In this way the board is informed of the amount of money needed for all purposes. The county board of supervisors then levies a tax upon all the townships for all these objects.

The Tax-Collector. — At the town meeting a Collector of taxes is elected. A book is prepared containing the list of the tax-payers which the assessors have made out, and also the amount of money due from each one. The collector takes this book and collects the tax and pays it to the county treasurer.

Town Auditors and their Duties. — The voters at the town meeting may decide to elect a Board of Auditors. The auditors are three in number, and the law requires that the terms of office shall be so arranged that one shall be chosen each year. It is the duty of the auditors to examine the accounts of the supervisor, the highway commissioner, the overseers of the poor, the school trustees, and all of the town officers who receive and pay out town money. The town auditors make out a report to be given to the supervisor, and it is his duty to present the report to the county board of supervisors. The county board must examine the accounts of the towns and see that the laws are not violated in the receiving and paying out of money.

Justices of the Peace act as Auditors. — If the voters at the town meeting do not decide to elect a Town Board of Auditors there is a state law which makes it the duty of the supervisor, the town clerk, and the Justices of the peace of the town, to act as a board of

auditors, and examine and report upon the condition of the money accounts of the town officers.

The Town Supervisor acts as Town Treasurer. — You will notice that the county board of supervisors, which has so much to do with the government of the towns and counties, is composed of the town supervisors of the various towns. The supervisor is an important officer in his own town, and is also an important county officer. In his own town the supervisor acts as Town Treasurer.

VI.

COUNTY BOARD.

The County Board of Supervisors. — The Supervisors of the towns of the entire county meet one or more times each year to attend to their duties as a County Board. They elect one of their number Chairman of the Board, and elect some one to act as their clerk to keep a record of their acts. The county board acts as an executive body, to carry into effect many laws which the state legislature has made for the government of counties and towns, and it is also an important county legislature. The state law requires the county board to examine the accounts of the county treasurer and of all county officials who receive and pay out money. It examines all claims against the county, and, if it finds that the claims are lawful, it is the duty of the board to order the treasurer to pay them and to vote a tax upon the county to secure the necessary funds. When the board is examining the accounts of

town and county officers to see if the money is honestly used, it is doing executive work ; it is executing a state law. When it is making an estimate of the needs of the county, and voting a tax to meet these needs, it acts as a county legislature.

The County Board makes Laws for County and Towns. — In many ways, the county board acts as a legislature for the towns of the county. If a town wants to vote a tax for building a town hall, it must first get the consent of the county board. The county board may also make a law permitting a town to go into debt for certain other purposes, or forbidding it to do so. The county board may make laws to cause the destruction of injurious weeds and troublesome animals. It may make laws to prevent the destruction of fish or game. It may make a law to protect sheep from destruction by dogs, and may vote a tax upon dogs and use the money to pay for the sheep killed by dogs. The state legislature, instead of making these laws for all the counties in the state, has made a law giving to each county board the power to make the laws on many subjects.

VII.

ELECTIONS.

General Elections. — We have seen how the town officers and the officers who make up the county board are elected. At the general elections for choosing county, state, and United States officers, all boards or officers whose duty it is to register voters, or distribute ballots, or receive, record or count votes, must be

chosen in equal number from the two leading political parties. In a city the mayor appoints two inspectors, one ballot clerk, and one poll clerk from each of the two parties. In towns and villages the two highest inspectors are elected, and the two next in rank are appointed by the presiding officer of the town meeting. In cities and villages with 5,000 or more inhabitants each man must register in person. For town and village elections this is not necessary unless expressly required by law. It is the duty of all these officers to attend at the place of voting on the day of election, and receive and count the votes, and report the result to the county Board of Canvassers.

Canvassing the Votes.—It is the duty of the county board of supervisors to meet, a few days after the holding of a general election, and count the votes reported to them from all the voting places in the county. The county board declares the result of the election of all county officers. For the higher officers of the state and the nation, they send a report of the number of votes cast, to a State Board whose duty it is to count the votes and declare the result for state officers. These same officers in the towns who hold the elections also act as a Board of Registrars, and make a list of all who live in their districts who have a right to vote.

VIII.

GOVERNMENT OF DENSE POPULATIONS.

Dense Populations in Townships.—The town government which has been described is suited to the

needs of the country townships where the people live on farms. If the town contains large villages so that there are too many people to meet in one town meeting, they may get permission of the county board to hold the town meeting in separate election districts. If there is need of a fire department in a certain part of the town, the county board may give the town the necessary power to establish a fire department where it is needed. In like manner special police limits may be fixed for parts of the town; and special limits for a water supply, or a light supply. In this way, many of the needs of a government for dense populations may be met without organizing a special village or city government.

Dense Populations in separate Village Government. — A law of the state permits a district where three hundred people live within a square mile to organize a special village government. Where this is done it relieves the town government of the special care of streets and the other peculiar needs of a dense population. The people of the village are still a part of the town government. They vote in town meeting and pay town taxes.

How a Village becomes a City. — When a village has come to contain a good many thousand people, they may wish to be separated entirely from the town government. They may do this by applying to the state legislature for the privilege of becoming a city. If the legislature grants the request, it makes a special law for the government of the new city. This law is called the city charter. It states what officers the city shall

have, how they shall be elected, and what shall be their powers and duties.

City Officers.—There are in the state thirty-five cities. Each city elects a Mayor who is its chief executive officer. A city legislature is elected, called a Board of Aldermen, which makes laws to govern the city. There are police and police courts to assist in the execution of the city laws.

Relation of the City to Town and County.—The city entirely takes the place of the town government. But, except in the case of the largest cities, as New York and Brooklyn, the city is still a part of the government of the county, and is represented on the county board. The county board of a county which contains a city is made up of the supervisors from the towns and a representative from each ward in the city.

LOCAL GOVERNMENT
OF
NEW YORK.

THE FOLLOWING PAGES GIVE AN OUTLINE
IN TABULAR FORM.

NEW YORK. — SCHOOL DISTRICT GOVERNMENT.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSA- TION.
Trustees or Board of Education	1 to 3 3 to 9	Elected by the District	1 or 3 years 3 years	Employ teachers. Have charge of District property. Maintain a school for at least 32 weeks in the year	None.
Clerk	1	"	1 year	Keeps record of acts of Trustees or Board. Other duties required by law	
Collector	1	"	1 year	Collects and pays out money as directed by Trustees or Board	1 per cent of collections for first 14 days. Afterwards 5 per cent
Librarian	1	"	1 year	Has charge of District Library	None.

The voters of the School District in School Meeting exercise legislative powers.

NEW YORK. — TOWN GOVERNMENT.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSA- TION.
Supervisor	1	Elected by Town Meeting	2 years	Acts as treasurer for Town. Represents Town on County Board	\$4 a day for actual work, mileage, fees.

Town Clerk	1	"	2 years	Is Clerk of Town Meeting. Keeps all Town records. Other duties required by law	Fixed sum per day and fees.
Justices of the Peace	4	"	4 years	Hold courts. Preside at Town Meeting. Serve as Auditor when none is elected	Fees, largely.
Auditors	3	"	3 years	Examine and certify to correctness of accounts of Town officers	\$2 a day
Assessors	3	"	3 years	Make list of tax-payers and taxable property. Fence viewers	\$2 a day.
Highway Commissioners	1 or 3	"	2 or 3 years	Have care of roads and bridges. District the Town and appoint district Overseers of Roads. Fence Viewers	\$1.50 or \$2 a day
Overseer of Poor	1 or 2	"	1 year	Furnish aid to Town poor	\$2 a day
Collector	1	"	1 year	Collect taxes and pay out money as directed by law	Per cent of taxes
Constable	1 to 5	"	1 year	Acts as chief police officer of Town	Fees
Game Constable		"	1 year	Executes laws for preservation of fish and game	A portion of fines collected
Inspectors of Elections	4 for each election district	In cities, t. & v. 2 elected, 2 appointed	1 year	Receives and counts votes at general elections. Report results to County Board of Canvassers	\$2 a day
Excise Commissioners	3	"	3 years	Act upon petitions for privilege of selling intoxicating drinks	\$3 a day

Voters in Town Meeting have various legislative powers.
In nearly all towns in the State, the supervisor, justices and town clerk act as auditors for their respective towns.

NEW YORK. — GOVERNMENT OF INCORPORATED VILLAGE.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSA- TION.
President	1	Elected by Village	1 year	Acts as chief executive officer	Fixed by Board of Trustees
Trustees	3 to 9	"	2 years	With the President act as Village Legislature. Audit Village accounts. Act as Assessors when none are elected	"
Clerk	1	"	1 year	Acts as recording officer	"
Treasurer	1	"	1 year	Receives and pays out Village money as ordered	"
Collector	1	"	1 year	Collects Village taxes	Percentage of collections
Street Commissioner	1	"	1 year	Has charge of streets in Village	Fixed by Board

In the larger Villages are many other officers.

NEW YORK. — CITY GOVERNMENT.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSA- TION.
Mayor	1	Elected by City	2 y. in cities of 1, & 2, cl.	Chief executive officer of City	Fixed by City Legislature
Aldermen	1, usually, from each ward.	Elected by Ward	2 years usually	With Mayor act as City Legislature	"

Each City has also a recording officer, Treasurer, Assessors, Collector, besides police and many other officers usually appointed by the Mayor. Each City is governed by special laws passed by the State Legislature, or by general laws which apply to all cities of a certain class.

NEW YORK. — COUNTY GOVERNMENT.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSA- TION.
Board of Supervisors	1 from each town and city ward	Elected by voters in towns and wards	2 years	Have charge of County business and County property. Act as County Auditors. Provide for County expenses. Also have many legislative powers	\$4 a day, mileage, fees.
Treasurer	1	Elected by County	3 years	Receives and pays out County money as required by law	Salary fixed by County Board
Superintendent of Poor	1 or 3	"	3 years	Furnishes aid to County poor. Has charge of County poor-house	"
School Commissioners	1 for each Commissioner's District	Elected by Commissioner's District.	3 years	Examines teachers, issues certificates. Visits schools. Holds Institutes. Reports to State Superintendent. Other duties required by law	\$1,000
County Judge	1	Elected by County	6 years	Holds criminal Court, and in the smaller counties Probate Court also	Salary fixed by law.
Surrogate (in the larger counties).	1	"	6 years	Holds Probate Court	
County Clerk	1	"	3 years	Keeps Court and other County records. Records deeds and mortgages. Other duties required by law	Fees
Sheriff	1	"	3 years	Acts as chief police officer of the County	"
District Attorney	1	"	3 years	Draws bills of indictment and prosecutes criminals	Fees, or salary fixed by board

Sheriffs, Clerks and district attorneys, in New York and Kings counties and in counties whose boundaries are the same as those of a city, are elected every 2 or 4 years.

NEW YORK. — STATE GOVERNMENT.

OFFICERS.	NUMBER.	HOW CHOSEN.	TERM.	DUTIES.	COMPENSA- TION.
Governor	1	Elected by State	2 years	Acts as chief executive officer for the State	Salary of \$10,000
Lieut.-Governor	1	"	2 years	Is President of Senate. Acts as Governor in case of vacancy. Member of various Boards	Salary of \$5,000. Forbidden any other compensation
Secretary of State	1	"	2 years	Keeps State records and State Seal. Member of various Boards. Supervises printing of laws	\$5,000
Comptroller	1	"	2 years	Has charge of State finances. Audits claims against State. Draws orders on Treasurer. Member of various Boards. Many other duties	\$6,000
Treasurer	1	"	2 years	Receives State money and pays it out as ordered by Comptroller. Member of various Boards, etc.	\$5,000
Attorney-General	1	"	2 years	Gives legal advice to State officers. Conducts suits on behalf of State. Member of various Boards	\$5,000
State Engineer and Surveyor	1	"	2 years	Has supervision of Canals and other Public Works. Member of various Boards	\$5,000
Supt. Public works	1	Appointed by Gov.	During term of Gov. appointing him	Executes laws respecting canals. Has charge of other public works.	\$6,000

Superintendent of Public Instruction	1	Elected by joint ballot of 2 Houses of Legislature	3 years	Has general supervision of public Schools and various State educational institutions. Decides appeals in school controversies. Various other duties	\$5,000
Regents of University	19 besides ex officio members	"	Life	Have charge of Secondary Education in the public schools of the State.	No compensation.

There are also numerous Boards, Commissioners, and other officers appointed by the Governor and Senate to assist in the business of governing the State.

Legislature.	Senators	50	Elected by Senatorial District	2 years	Make laws for the government of the State	\$1,500 and mileage \$10 a day additional for extra service
	Members of Assembly	150	Elected by Assembly District	1 year		\$1,500 and mileage
Judges of Court of Appeals	7	Elected by whole State	14 years	Review questions of law and case involving judgment of death.		Chief Judge, \$10,500. Associates, \$10,000
Judges of Supreme Court	76	Elected by Judicial District	14 years	Had general jurisdiction in law and equity.		\$6,000 and \$1,200 for traveling expenses.

CHAPTER IX.

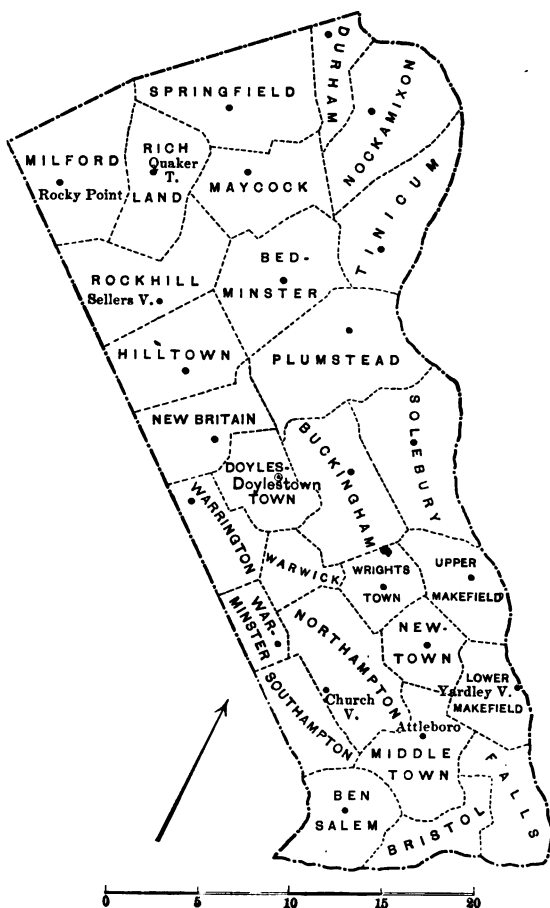
LOCAL GOVERNMENT IN PENNSYLVANIA.

I.

POLITICAL GEOGRAPHY.

The Chief Political Divisions of Pennsylvania. — The state of Pennsylvania is divided into sixty-seven counties. Each county is divided into townships. But in places where the population is dense the people have the privilege of organizing a borough government which may entirely take the place of the township government. If the population of a borough or town reaches ten thousand, its form of government may be changed to that of a city, if the people so desire. From this it appears that a county containing dense populations may be divided into townships, boroughs and cities. The township furnishes local government for the small villages and country places, the borough for large villages, and the city for towns containing a population of more than ten thousand. The large boroughs and cities are subdivided into wards having special ward officers.

The school districts have the same geographical limits as the townships, boroughs and cities. That is, a state law says that each of these shall be a school district. But the government of the school district is made, by the laws of the state, entirely distinct from the other government having the same area.



The accompanying map is of Bucks county, showing the divisions into townships. Doylestown is the capital of the county, and it is organized into a borough. Quakertown in Richland township is also a borough town. Several of the other villages have borough governments. The county contains no city.

II.

COURTS.

Justice's and Aldermen's Courts. — The lowest court in Pennsylvania is held by Justices of the Peace in the townships and boroughs, and by Aldermen in the cities. The voters in each township, and in each borough which is not divided into wards, elect two or more justices of the peace, who hold office five years. In most of the boroughs which are divided into wards, two justices of the peace are chosen in each ward. In cities, two aldermen are chosen in each ward, except in cities of the third class where but one is chosen. In the city of Philadelphia the office of Alderman is abolished, and a magistrate for every 30,000 of the population is elected, on a general ticket, for a term of five years. These hold courts for the trial of petty crimes, and of cases between citizens for the collection of money when the amount claimed is not more than \$300.

The Constable. — In each ward and township a constable is elected whose duty it is to wait upon the court of the justice of the peace or aldermen and to obey its orders. He also acts as Collector of Taxes.

The Court of Common Pleas. — Every county containing a population of 40,000, or more, constitutes a separate judicial district, and elects, for a term of ten years, one President Judge, learned in the law. If the county is very populous, or the business demands it, one or more Additional Law Judges learned in the law are elected for ten years. Counties having a popula-

tion of less than 40,000 are formed into convenient districts or are attached to a contiguous district. A President Judge is elected for the whole district, and two associate judges from each county in the district. Where a judicial district includes more than one county, a President Judge is elected for the whole district, and two associate lay judges are elected for each county composing the district, whose term of office is five years. In each district are held as many courts for the trial of civil cases, each year, as the business demands. Such courts are called Common Pleas Courts.

The Court of Quarter Sessions. — Four times each year the President Judge or one of the Law Judges is required to hold a court for the trial of crimes. This is called the Court of Quarter Sessions. It is possible for two courts to be going on at the same time. The President Judge may hold one and a Law Judge may hold another. The Court of Quarter Sessions attends to criminal business, and exercises such other powers (as the laying out of roads, etc.) as are vested in it by law; and the Grand Jury of the county, whose duty it is to make charges, or indictments, against persons whom they believe to have been guilty of crime, always attends the meetings of the Court of Quarter Sessions.

The Court of Oyer and Terminer. — The laws of the state describe eight classes of the worst crimes, and forbid the Court of Quarter Sessions to try them. To try these worst crimes another court is held, four times each year, while the Grand Jury sits and the Court of Quarter Sessions is being held. This court is called

the Court of Oyer and Terminer. To hold it requires the President Judge or a Law Judge. Or, one of the Judges of the Supreme Court of the state may come into the county and hold a session of the Court of Oyer and Terminer or of Quarter Sessions.

The Orphans' Court. — As often as is necessary the President Judge or a Law Judge holds at the same time and place of the other county courts a session of what is called the Orphans' Court. The business of this court is confined to the granting of orders for the sale of real estate of deceased persons, the distribution of such estates, the granting of writs of partition of such estates among heirs, the appointing of guardians for minors, and the general care of their estates.

It thus appears that four distinct courts are held by the same Judges. I. The Court of Common Pleas, to try civil cases. II. The Court of Quarter Sessions, to try ordinary crimes. III. The Court of Oyer and Terminer, to try the most serious crimes. The two last courts may also be held by a Supreme Court Judge. IV. An Orphans' Court, to settle estates of deceased persons. Equity jurisdiction is also conferred upon the Courts of Common Pleas throughout the state.

The Sheriff. — The voters in each county elect a Sheriff, whose duty it is to wait upon all these courts and obey their orders, to have charge of prisoners, to act as the chief police officer in the county, and to assist the constables and other peace officers in preserving order and protecting life and property.

Officers to keep Court Records. — The voters in each county elect officers to keep the records of these

various courts held in the county. The officer who keeps the records of the Court of Common Pleas is called the Prothonotary. In the least populous counties the Prothonotary acts as clerk of the other courts, and also as the Register of Wills and the Recorder of Deeds. In the most populous counties separate officers are chosen for each of these services.

The Supreme Court. — There are two courts in the state of higher grade than these county courts. These are the Superior Court and the Supreme Court. Each consists of a Chief Justice and six Associate Justices. The Judges of the Supreme Court, which is the highest court in the state, are elected for terms of twenty-one years; the Judges of the Superior Court are elected for terms of ten years. In certain classes of cases the decision of the Superior Court in appeals from the lower courts is final. But one Justice of the Supreme Court is elected at one time, unless there is more than one vacancy, occasioned by death or resignation, and the justice whose term of office has most nearly expired is the Chief Justice. These justices sit together in their respective courts, and hear and decide cases which have been tried in the lower courts and have been regularly appealed to them. As stated before, a judge from the Supreme Court sometimes holds a session of the Court of Quarter-Sessions or of Oyer and Terminer in one of the counties.

The County Commissioners. — The voters in each county elect three Commissioners whose duty it is to attend to the general legislative and executive business of the county. It is the duty of this county board to

vote and collect taxes and to use the money thus obtained to supply all the county courts and county officers with suitable rooms, to provide places for keeping prisoners, and to meet all the other expenses of the county.

III.

EDUCATION.

School Districts and ordinary Townships. — The government of the school district is treated by the laws of the state as entirely separate from the government of the townships, boroughs, and cities, yet the geography of the districts is made by law to correspond with that of the other local governments. The township is made by law a school district. If it is not convenient for dwellers in every part of the township to attend the schools of the district, a petition may be sent to the County Court of Quarter Sessions, and if the court thinks best, it may annex the land of one district to that of an adjoining district. In this way the school district may differ in its boundaries from the township.

School Districts and Villages or Towns. — Some of the villages or towns are still a part of the township for the collection of county taxes. Such villages are included in the township school districts. But most of the villages or towns are independent of the township, and these are made into separate school districts.

Schools in Cities. — In some of the cities each ward is made a school district. In such cities there are two school boards having control of the same schools. There

is a Board of Directors in the ward, having immediate control of the schools of the ward ; and there is a Board of Controllors composed of the directors of the wards of the city, having general management of the work of education in the city. But in many of the cities the ward districts are abolished and one board of controllers is elected for the entire city. In Philadelphia the Board of Controllors is appointed by the judges of the courts.

School Officers and their Duties. — The voters of the school district elect each year two school directors who hold office for three years. In the entire board of directors there are six members. These elect from their own number a President and a Secretary. They are likewise required to elect a Treasurer. The board of directors vote taxes for school purposes and employ teachers. The law requires them to visit the schools and assist the teachers in their management. The directors are the chief legislative and executive officers of the district.

The Election of County Superintendent. — The directors of all the districts in the county are required by a state law to meet at the county seat once in three years and to elect a County Superintendent. The state law fixes, in part, the salary of the county superintendent, but the directors at the county meeting may make the salary more than the sum fixed by law. The law also requires that the county superintendent shall have certain qualifications, such as being a graduate of a college, or having a certificate from the State Superintendent of Common Schools.

Duties of County Superintendent. — The County Superintendent examines teachers and issues teachers' certificates. He is required by law to visit the schools and see that the work of teachers and school directors is properly done. He holds institutes for the instruction of teachers. He collects information about the schools from the district officers, and makes an annual report to the State Superintendent.

Borough and City Superintendents. — The school board in a city, and the directors in a borough which has attained a population of 5000 or more, may elect a Superintendent for the city or the borough. The City or the Borough Superintendent performs all the duties for the city or borough which the County Superintendent does for other parts of the county. The County Superintendent is relieved from all duties in the management of schools in cities and boroughs having superintendents of their own, and the directors of these districts do not vote at the triennial election for County Superintendent.

The State Superintendent. — The State Superintendent of Common Schools is appointed by the Governor of the State, with the advice and consent of the State Senate. He has general care of the work of education in the state, and advises the State Legislature of the need of new laws. He collects and publishes information on the subject of education.

IV.

ROADS ; CARE OF THE POOR.

How Roads are Located. — The County Court of Quarter Sessions has authority to establish new roads and fix their width, and to vacate roads that have become useless. The court acts upon the petition of citizens who desire the change.

Township Supervisors. — The voters of the township elect two or more Supervisors whose duty it is to keep in good repair the roads and small bridges of the township.

County Bridges. — If the township supervisors or the citizens of the township think that the expense of building and maintaining a certain bridge ought not to be borne by the township alone, they may send a petition to the Court of Quarter Sessions asking to be relieved. It then becomes the duty of the Court of Quarter Sessions to appoint viewers to examine and see if the thing asked for by the petition is just. If, then, the Court, the Grand Jury, and the County Commissioners all approve, the bridge ceases to be a township bridge and becomes a county bridge. It is the duty of the county commissioners to vote a tax for building and maintaining county bridges. The Court of Quarter Sessions appoints Inspectors of county bridges.

Roads in Boroughs and Cities. — In boroughs and cities the roads and bridges are provided for by the borough and the city governments.

Overseers of the Poor. — The voters of the township elect two Overseers of the Poor, who provide for

the poor and meet the expense by a tax on the township.

Counties may Provide for the Poor. — The laws of the state provide for the transfer of the care of the poor from the townships to the county government, if the people wish to do so. When two-thirds of the overseers of the poor in the various townships send a petition to the Court of Quarter Sessions asking to be relieved from the care of the poor, it becomes the duty of the court to provide for an election in the county to vote upon the question whether the poor shall be cared for by the townships or by the county. If a majority vote in favor of the county it then becomes the duty of the county commissioners to make provision for taking care of the poor of the entire county. This is done by voting taxes, buying land, and building a poor-house, appointing a Superintendent of the Poor, and other necessary officers. When the commissioners have made provision for receiving the poor from the townships the overseers transfer them to the county-house, and the office of overseer of the poor in the township is then abolished.

Cities care for their own Poor. — The cities, in any case, provide for their own poor, and hence they are not included in the county district for poor-law administration.

V.

TAXATION.

Assessors and their Duties. — The voters in each borough and township elect every three years an

Assessor, and, in every township or borough having more than one election district, each district elects also an Assistant Assessor. It is the duty of the Assessors to make a list of the tax-payers and the taxable property of the township.

The Voting and Collecting of Township Taxes. —

The township supervisors vote a tax upon the township for meeting the expenses of the roads, for the payment of township officers, and for other general expenses. The overseers of the poor vote a tax to support the town poor. The boroughs and townships respectively elect a Collector of Taxes every three years. It is his duty to collect the tax and pay it into the hands of the Township or Borough Treasurer, who is elected by the voters of the township or borough.

The Paying out of Township Money. — A Township Clerk is elected, whose duty it is to attend all the meetings of the supervisors and keep a record of all their acts. The treasurer pays out the township money upon orders signed by the clerk of the board of supervisors.

Township Auditors. — The voters elect three Auditors whose duty it is to examine the accounts of the treasurer and see that the township money has been expended according to law. The auditors also examine the accounts of the supervisors, and the overseers of the poor and all township officers who receive township money.

The Voting of County Taxes and the Paying out of County Money. — County taxes, for the various expenses of the county, are voted by the Board of

County Commissioners. The commissioners appoint a clerk to keep a record of all their acts. All claims against the county must be approved by the commissioners, and their clerk is required to keep a record of each item. The County Treasurer pays out county money upon the order of the commissioners.

The Collecting of County Taxes.— County taxes are collected by Collectors elected in the various townships, boroughs, and collection districts in the county who pay over the money to the County Treasurer.

The County Collects Money for the State.— Part of the money collected by the county is for the state. The County Commissioners are notified by a state officer as to the money to be raised by the county for the state, and it is the duty of the board to levy and collect this with the other county money; but on personal property only, occupations and money at interest. Real estate is not taxed for state purposes.

County Auditors.— There is a board of three County Auditors who examine the accounts of all the county officers who have anything to do with county money, and see that all is done according to law.

VI.

ELECTIONS.

The Choosing of Election Officers.— The election boards in each township or election district consist of a judge and two inspectors, to be chosen annually by the citizens. Each elector has the right to vote for the judge and one inspector. The one receiving the

highest number of votes for judge of elections is declared elected to that office; and the two who receive the highest number of votes for inspector of elections are declared elected. The object of this law is to have each of the political parties represented among the election officers. One inspector will belong to one party and one to the other. It is the duty of each of these inspectors to appoint a Clerk of Elections. All these officers must attend at the place of voting at all the elections, and receive and count the votes.

Time of Holding Elections. — The general election shall be held annually on the Tuesday next following the first Monday of November. All elections for city, ward, borough, and township officers, for regular terms, shall be held on the third Tuesday of February. — Constitution, Art. 8, Secs. 137, 138.

Canvassing the Votes. — The election officers declare the result of the election for township officers. They make out a list of the county, state, and United States officers voted for at the general election, and the number of votes cast for each, and make a return of the result to the county Prothonotary. It is the duty of the judges of the Court of Common Pleas to count the votes as returned and declare the result for county officers, and report the votes for state and United States officers to the Secretary of the Commonwealth.

County Judges act as Legislative, Executive, and Judicial Officers. — There are three county judges who have much to do with county and township government. They hold four kinds of courts. As a Court of Quarter Sessions they may organize town-

ships, change the boundaries of school districts, locate roads, and do many other things for the county. While acting as a Court of Common Pleas these same judges are a Board of Canvassers for election returns. This is a case where the same officers act as legislative, judicial, and executive officers. To locate roads is usually called legislative work, to canvass votes is executive, and to hold a court is judicial work.

VII.

GOVERNMENT FOR DENSE POPULATIONS.

How a Village becomes a Borough. — The township government in Pennsylvania is not well adapted to meet the needs of a dense population. The state laws provide that a village may have a local government of its own by applying to the County Court of Quarter Sessions, without regard to its population. When a village is thus organized it is called a Borough.

The Officers of a Borough. — 1. A Burgess is elected for a term of three years, who is not a member of the town council. He is the chief executive officer of the borough, and has a veto power. The office corresponds to that of mayor in cities. 2. Seven citizens are elected to act as Town Council. They elect one of themselves President, and act as a legislative body for the borough. They also have much to do in the execution of state laws passed for the government of boroughs, and in the execution of the laws which they themselves make. 3. Two Overseers of the Poor are elected, unless the borough is in a

county which cares for the poor. 4. One Judge and two inspectors of elections are elected. If the borough is divided into wards, these officers are to be elected for each ward or election district. 5. There are one Assessor and Assistant Assessors. 6. A borough Auditor is chosen. 7. As stated before, the borough elects Justices of the Peace and a Constable. It will be seen that these officers correspond to the officers in the township, and do for the borough what the township officers do for the township.

How Boroughs are Divided into Wards. — If the borough becomes large, and needs to be divided into wards, it applies to the Court of Quarter Sessions to be thus divided. Large boroughs have nearly all the powers of the smaller cities.

How a Borough Becomes a City. — After the borough has reached a population of ten thousand or more, its organization may be changed to that of a city. The city legislature has two houses. The Upper House, or Select Council, is composed of one member from each of the wards of the city. The Lower House, or Common Council, is composed of two members from each of the wards.

How City Laws are Made. — A city law must receive the approval of a majority in each House, and is then presented to the mayor for his signature. If the mayor does not approve of the measure he does not sign it, but returns it to the house in which it originated, with a statement of his objections. This is called vetoing the measure. If two-thirds of the members of each House in the city legislature vote for the measure after

town meeting. The county in Massachusetts has little power. In New York, the towns (townships) in town meeting have some legislative powers, but the County Board of Supervisors is a much more important local legislature. The New York county is a little republic having a county board to make laws for the people of the county and for the towns, villages, and school districts of the county. In this way, the state legislature is relieved of much work. In Pennsylvania and Virginia, the state does the greater part of the law-making. Such legislation as is left to counties is exercised by a county board and a county court.

PART III.

THE GENERAL GOVERNMENT OF THE STATES.

CHAPTER XII.

STATE LEGISLATURES.

Importance of the State Legislature. — In all the previous chapters the state legislature has been often mentioned; and we have had frequent occasion to see how important a body it is. The local legislative bodies, in counties, townships, cities, and school districts, all act under the authority of laws passed by the state legislature. The acts of these local legislative bodies are often called *by-laws* to distinguish them from the more important acts of the state legislature.

Two Houses. — The legislatures in all the states are made up in nearly the same way. In each there are two houses, an upper and a lower house. The upper house is, in most states, called the Senate: the other house in many states is called the House of Representatives. The Senate has fewer members than the other house. Its members serve for a longer term. They are required to be older before they can become senators than before they can be representatives.

The State Constitution is of higher authority than the state legislature. The people send delegates from

their various counties to a constitutional convention. This convention frames the state constitution, and then the constitution is submitted to all the voters of the state for their approval. If a majority approve, it goes into effect. The state constitution represents the highest authority of the people of the state. The members of the state legislature and all who hold office in the state, including the local officers in counties and townships, are required to bind themselves by oath, or affirmation, to support the constitution of the state. It is the constitution which tells what state officers there shall be and how they shall be elected, and gives a general statement of their powers and duties.

Legislative Districts. — For the election of members of the state legislature the state is divided into districts. In Massachusetts and other New England states the townships are represented in the legislature. In the other states the counties are represented. If there are not enough people in one of these areas, county or township, to entitle it to send a representative, two or more are combined to form a representative district. For the election of senators larger districts are formed. The constitution requires the legislature to apportion the members to the different parts of the state according to the population as nearly as possible without dividing the county (or township).

Presiding Officers. — The constitution in each state tells how each house in the legislature shall be organized for the transaction of business. It tells how the presiding officer and the other necessary officers shall be chosen. In many of the states the people are required

by the constitution to elect a Lieutenant Governor, who shall be the presiding officer in the Senate. The other house is generally required to choose its own presiding officer, and in many states he is called the Speaker.

Making a Law. — The constitution gives general directions as to how laws shall be passed. A measure is introduced into one or the other of the two houses. It is then called a bill. Before a bill becomes a law it is usually referred to a committee, reported back to the house, and if it is an important one, it is discussed by the members and approved by a majority. A bill having passed the house in which it originated, is carried to the other house and there it is treated in like manner. If it passes the other house without change it is carried to the Governor. Most of the state constitutions require the Governor to sign it within a certain number of days or it will become a law without his signature. The Governor in many states has a right to return the bill to the house in which it originated with a statement of reasons why he thinks it ought not to become a law. This is called *vetoing the bill*. The constitutions are not all alike here, but many of them require the bill, if vetoed by the Governor, to receive the support of two-thirds of the members of each house, otherwise it does not become a law.

Different Sorts of State Laws. — A good idea of part of the laws of a state is gained by what is said in the former chapters. All those things which are done by school districts, townships, counties, and cities, are done because the laws of the state require them to be

done. We have, then, from our state legislatures the means of education, the care of roads, of the poor, of the public health, and multitudes of other things. It is to the laws of the state that we look chiefly for protection to life and property. The punishment of the thief, the murderer, the burglar, and all ordinary criminals, is provided for by the laws of the state. Then there are a great many laws to enable men to get along together in the transaction of business ; laws for the collection of debts, for the enforcement of contracts, for the regulation of banks ; laws enabling men to form business corporations, so that large business enterprises, such as the building of railroads, may be carried on ; these, and many others of a like nature, are the subjects of state legislation.

Provides State Institutions.— Again, the state legislature provides for the needs of a number of special classes. There are few blind persons in a township or a county ; there are usually many in a state. The states generally furnish a state institution for the education of blind children and youth ; in like manner, the states provide for the education of deaf-mutes. In some of the more populous states the care of the insane is provided for by counties ; but it is generally found more satisfactory to have these cared for in state institutions. States also provide for the education of feeble-minded children. They provide orphans' homes, soldiers' homes, homes for reforming children who have begun a course of crime. Counties usually provide jails and work-houses for prisoners sentenced for short terms, but the prisons for the execution of long sentences are pro-

vided by the state. The state legislature establishes and provides for the government of all these state institutions.

Votes Taxes. — To secure money to pay the salaries of state officers, and to meet the expenses of the state institutions, the state legislature levies a tax upon all the counties of the state. In the levying of taxes, the state legislature does for the state government what the county legislature does for the county, what the township legislature does for the township, the city legislature for the city.

CHAPTER XIII.

THE STATE EXECUTIVE.

The Governor. — In all the states the Governor is made the chief officer in the execution of the state laws. The state constitution provides for his election and tells what are his chief duties. He is elected by the voters of the state. His term of office varies in the different states; in many it is one year, in others it is two years, in still others it is four.

His Legislative Duties. — We have seen in a former chapter the share which the Governor has in the making of laws. By his veto he may often prevent the legislature from passing a law which he does not like. The constitution also makes it the duty of the Governor to recommend to the legislature such measures as he thinks

would be helpful to the state. Thus, by vetoing bills and by recommending laws, the Governor may have much to do with the making of laws.

Laws executed by Local Officers. — Nearly all state constitutions contain the statement that it is the duty of the Governor to see that the laws of the state are faithfully executed. In many of the former chapters attention has been called to the fact that the school district, township, county, and city officers have as a part of their duty the execution of the laws of the state. The state laws tell these local officers what to do, and they generally do it. If a local officer should neglect his duty, we have noticed some cases where a county board or a county court may remove the officer and appoint another. The laws also provide that an officer may be fined for injuries resulting from a neglect of duty. It is possible for any citizen who wishes to have the law enforced, if the officers refuse to do a thing which is clearly commanded in the law, to have the officer brought before a court, that the court may order him to execute the law; then, if he still refuses, the court may send him to jail and keep him there till he is willing to execute the law. It may be seen from these statements that a large part of the laws of the state are executed without any aid from the Governor of the state. In most cases the Governor has no control over the local officers of counties, townships, or cities, and these local officers execute the greater part of the laws.

The Governor as Military Commander. — There is a way in which it is possible for the Governor to have

very great power over the people. The state constitution makes him the commander-in-chief of the militia of the state. If the state is threatened with invasion, the Governor may call out all able-bodied men to defend the state. If violence is widespread and continuous, the power of the Governor may take the place of sheriffs and constables and the ordinary local officers. If at any time the sheriff of a county finds a state of disorder too great for him to subdue, he may call upon the Governor for aid, and it becomes the duty of the Governor to render aid, if in his judgment it is needed.

The Governor aids in returning Criminals from one State to another.—The laws of some of the states authorize the Governor to offer rewards for the arrest and punishment of law-breakers. If a criminal be found in the state where the crime was committed, the sheriff may arrest him without any authority from the Governor. But if the one suspected of crime escapes into another state, then he can not be arrested and returned until the Governor of the state from which he has escaped makes a demand on the Governor of the state in which he is found, when it becomes the duty of this latter Governor to permit his return.

Pardons.—In nearly all the states the constitution gives to the Governor power to grant pardons to those who have been convicted of crime. A full pardon has the effect of setting aside all penalty to which the convict is liable after the pardon is granted.

The Governor makes Appointments.—In some of the states the Governor has a great many appointments to make, while in others he has very few. In Virginia,

we have seen, the Governor appoints the county coroners. In Florida, the Governor, with the consent of the state Senate, appoints nearly all local county officers, as well as all the judicial officers of the state. In such a state, the Governor has much to do with the execution of all laws, both local and general.

Other State Executive Officers. — In every state there are a few general state executive officers associated with the Governor in the execution of the general laws of the state. There is an officer who has charge of the state records; he keeps in his office a copy of each bill which has been enacted into a law. From this record the exact wording of the law may be learned. It is generally the duty of the same officer to sign all orders and papers issued by the Governor, and to keep a copy of the same. The name given to this officer is, in most states, the Secretary of State. Again, there is in each state a State Treasurer, who does for the general state government what the county treasurer does for the county. Each state has also an officer or a board of officers to examine all accounts against the state treasury, and to draw orders upon the Treasurer for their settlement. In many states, this officer is called the Auditor of State.

The Attorney-General. — Each state has also its law officer, usually called the Attorney-General of the State. It is his duty to give advice to all other state officers on questions of law, and he is often required to give written opinions for the directions of these officers. It is likewise his duty to appear on behalf of the state in any suit at law in which the state may

be involved ; and some of the states make it the duty of the attorney-general to prosecute the higher classes of criminals.

The Governor may control other Officers.—These various state officers are elected by the people just as is the Governor. The laws of the state define the duties of these high state officers just as they do those of the Governor. In some states, the Governor is charged with a special oversight of the official acts of all the state officers ; in that case, it is possible for the Governor to see that these officers do their duty. If the laws do not give the Governor this power, then each of these state officers acts independently of the Governor.

Impeachment.—Nearly all state constitutions provide, that in case the Governor, the high officers of state, or the judges of the high courts, are guilty of misconduct in office, or commit any high crime or misdemeanor, they may be impeached and removed from office. Impeachment means an accusation made by the lower house in the legislature against a state officer. The accusation is made to the senate or upper house, and the person impeached is tried before the senate. If the senate judges him guilty, he is removed from office.

Officers in charge of State Institutions.—Besides the officers named above, and a few others elected in many states, there are a number of officers who have the care of the various state institutions. The laws usually provide for the filling of these offices by appointment by the Governor, or by the Governor and

the Senate, or by the two houses of the legislature. The laws often make it the special duty of the Governor to examine the accounts of the various state institutions.

CHAPTER XIV.

STATE COURTS.

It is the business of the legislative department of government to decide what is to be done and how it shall be done, to fix penalties for not doing the things required, and to vote taxes for the support of the government. This legislative work for the states, we have seen, is attended to (1) By the people in the making of the state constitution, which is the state law of highest authority. (2) By the state legislature. (3) By local legislatures in counties, townships, cities and school districts. The state executive business is in the hands (1) Of the Governor and other state officials elected by the people. (2) The various boards and officers appointed to have charge of state institutions. (3) The local officers in counties and the other local governments.

The need of Courts. — The legislative officers determine what to do and the executive officers do the things commanded by the legislature. In respect to the greater part of the work of government this is all that is needed. The laws are made and executed and nothing farther

is needed. But sometimes a law is not understood: differences of opinion arise as to what is law, and men are in doubt as to what they ought to do. Or there are some who know the law and understand it, but they refuse to obey it. Crimes are committed. Men in their dealings with each other do not act justly. Some refuse to fulfill their agreements. This gives rise to a third sort of governmental agency which we call the judiciary, composed of the courts of law. It is the business of the courts to punish criminals, to settle disputes arising between citizens, to interpret the law and apply it to particular cases as they are brought before them.

Supreme Courts. — The system of courts is not exactly the same for all the states, yet they are alike in many things. Each state has one court for the entire state. This court in New York is called the Court of Appeals; in the other states it is called the Supreme Court. There are a number of judges who hold this court, sitting together. The judges of the Supreme Court in a few of the states are appointed by the Governor with the approval of the state Senate, but in most of the states they are elected by the voters of the entire state. The greater part of the business of the state Supreme Court is to decide cases which have been tried in the lower courts of the state. In this way the difficulties about the meaning of the state laws are finally settled. The lower courts in the state are required to accept the meaning of the law as fixed by the state Supreme Court. The decisions of the Supreme Court are published in full.

District Courts.— The county is the government for the holding of all the courts lower than the state Supreme Court and higher than that of the justice of the peace. Of the courts held in the county there is among the states a great variety in the names used, though the business in all is the same. The simplest plan is found in the states which are divided into judicial districts composed of one or more counties, where the people of each district elect one or more district judges, and a district judge is required to hold a court several times each year in each county.

Probate, Civil and Criminal Courts.— Where one court held by one judge attends to all the judicial business between that which comes before the justice of the peace and that which belongs to the state Supreme Court, (1) this judge is required during part of the time to hold a court for the proving of wills and the dividing of the property of persons who have died. This is usually called a *probate court*. It is the duty of the probate court to appoint guardians and to protect the rights of widows and orphans. (2) During a part of the time this judge is required to hold a court for the trial of cases which arise between citizens, such as the collection of debts or the securing of damages. A court of this sort is called a *civil court*. (3) During a part of the time this judge must hold a court, called a *criminal court*, for the trying of crimes. In some of the states one district or circuit judge holds these various sorts of courts, and tries all the important cases at law. In other states the laws provide for different courts, with separate judges to attend to the different sorts of

business. Some provide for the holding of some of these courts by two or more judges sitting together. And a variety of names is given to these courts in the different states.

The Justice of the Peace.—The lowest court is the same for all the states. Everywhere the lowest court is held by the justice of the peace. In most of the states the justice's court may have nothing to do with the settlement of the estates of persons who have died, nor can it have anything to do with a case which affects the title to land. But the justice's court may try cases which arise between citizens involving only small amounts of money. In some states the justice may try cases involving as much as three hundred dollars. In others the amount allowed is much less. The justice's court may also try small crimes, such as theft to the amount of twenty dollars, and cases of assault.

Appeals.—The laws of most states provide that a case which has been decided by a justice's court may be appealed to a court of higher grade. And cases decided by the courts held in the county may be appealed to the state Supreme Court. If a case is appealed from the justice's court to a higher court it is usually tried over again, just as if it had not been tried at all. When a case is appealed to the Supreme Court it is usually not tried over again, but the Supreme Court examines the decisions, or rulings, of the lower court on points of law, when, if the lower court has committed errors in law, the decision may be set aside by the Supreme Court. In that case a new

trial may be had in the lower court, and the judge must change his rulings to agree with the directions of the Supreme Court.

CHAPTER XV.

JURIES.

A Jury in a Justice's Court. — A man may be tried for a petty crime before a justice without any jury. In that case the justice hears the evidence, interprets the law, and decides whether he is guilty or not, and if he is found guilty, the justice names the penalty. Many of the states provide that one charged with crime in a justice's court may demand a jury. In that case the justice orders the constable to summon any bystander whom he may meet, and one thus summoned is required to serve as a juror unless he can induce the court to excuse him. In a justice's court the number of jurors is often less than twelve. It is the business of the jury to pay careful attention to the evidence and to the instructions of the court on the rules of evidence, and to decide whether the one accused is guilty or not guilty.

Jury in a Civil Suit. — In the trial of civil cases, both in the justice's court and in the higher courts, it often happens that no jury is called. In that case the judge or judges decide all the questions that arise. They decide the facts in the case as they appear from the evidence, and the questions of law as applied to the facts. But in nearly all the states either party in

a suit between two citizens may demand a jury. In such a suit it is the business of the jury to decide what are the facts as they appear from the evidence. The court decides the application of the law to the facts which the jury finds.

The Duty of the Justice in Great Crimes. — In a justice's court a suit is entered against one accused of crime, whenever a citizen or an officer makes a charge against him under oath. On this accusation the person charged is arrested and tried. Or sometimes a peace officer may arrest and punish one whom he sees committing a crime without any form of trial. But in respect to the more serious crimes which are tried in the higher courts, much more is required. If a murder is committed, a justice of the peace may order the arrest of one who is suspected of the crime. He may hold an examination of the evidence against the one arrested, and if he finds sufficient evidence he may order that he be held in the county jail till the meeting of the proper court for the trial of that class of crimes.

The Grand Jury. — Many of the state constitutions contain the statement that no person shall be held to answer for an infamous crime except upon the indictment of a grand jury. This means that no citizen shall be subjected to the trouble and expense of defending himself before a court under charge of serious crime unless twelve good and true men of the county unite in charging him with the crime. The old number for the grand jury was twenty-three, and twelve were required to unite in making an indictment.

Some of the states require a smaller number to serve on a grand jury, and a few permit an indictment to be made by a smaller number than twelve.

The grand jury is required to attend the sittings of all the courts at the county seat when criminal cases are tried. The county attorney, or the law officer whose duty it is to look after the punishment of criminals, writes out in proper legal form the accusation of the person suspected of crime. It is the duty of the grand jury to examine into the evidence against the person, and, if they believe him guilty, they sign *the indictment*, or accusation.

The Petit Jury. — The one who has been indicted, that is charged with a crime by a grand jury, is tried before a petit jury. A petit jury, or trial jury, as it is often called, is composed of twelve men. It is their duty to hear all that is said in the trial, and to decide whether the person charged is guilty or not guilty. This decision is called the *verdict*. In some of the states a smaller number than twelve may make a verdict, but most of the states require the twelve to unite in the verdict. In that case one man may “hang the jury,” as it is called, that is, he may prevent a decision. If the jury fail to agree, it is necessary to have a new trial, or let the accused go free.

PART IV.

THE GENERAL GOVERNMENT OF THE UNITED STATES.

CHAPTER XVI.

THE UNITED STATES GOVERNMENT.

FROM what has been said it is plain that a very large part of the government under which we live is in the hands of the separate states. Through state laws we have common schools; through state laws we have public roads, the care of the poor and other unfortunate classes; through state laws we have protection against thieves and murderers and nearly all criminals. All the government which comes to us through towns and cities, through counties, townships, and school districts, is under the authority of the state. The general government of the United States has almost nothing to do with any of these matters.

The United States Government prevents the escape of Criminals.—But the people of the United States are in need of a government which the states, with their present powers, cannot furnish them. The power of the state is limited strictly by the boundaries of the state. We have seen that when a criminal gets out of a state, the sheriff cannot catch him and bring him back unless he gets the consent of the Governor of the state

in which he is found. It is a law which the people of the United States have put into the Constitution of the United States, that makes it the duty of a Governor to give up criminals who have escaped into his state from another state. If a criminal from one of the states gets across the line into Canada, or into some other country, then no state officer can have any claim upon him. The states can have no dealings of any sort with foreign nations. The United States government makes treaties with other nations, and these nations agree to surrender criminals who have escaped from the states of the Union. It is in consequence of these treaties made with other nations that states are enabled to get their criminals who escape beyond the limits of the United States.

It Protects Americans in Foreign Countries.— If a citizen from one of the states goes into a foreign country he ceases at once to be known as a citizen of a state, and is known only as a citizen of the United States. If he is abused, if his rights are violated in a foreign country, his state cannot do anything to protect him. In all parts of the world where Americans are accustomed to go the United States has officers, whose duty it is to see that the rights of Americans are respected.

It Regulates Trade.— American commerce extends to all parts of the world. The regulation and control of foreign commerce is entirely in the hands of United States officers. The states can have nothing to do with it. And commerce between the states is controlled by laws of the United States. A state is not permitted

to give its own citizens any advantage in trade, or in business, over the citizens of other states. The laws of the United States secure to every citizen entire freedom to engage in business in any part of the Union.

It Controls Money.— If we look at any sort of money which we are likely to find in common use, whether coin or paper money, we shall see somewhere upon it the words “United States.” All sorts of money in common use among us come from the hands of officers of the United States.

It attends to the Postal Business.— The stamp which we put upon a letter has also the words “United States.” The Post Office business is entirely in the hands of officers of the United States. The states have nothing to do with mails. The United States has made postal treaties with all the civilized nations. On this account one may send a letter to almost any part of the world and receive an answer in return.

It attends to such things as the States could not do so well.— The United States government attends to but a few things when compared with the state governments, yet the things which it does are exceedingly important and most of them are such as the states could not possibly do so well.

It keeps the Peace between States.— The Constitution of the United States forbids the states to keep armies or ships of war without the consent of Congress. The continent of Europe is about as large as the United States. In Europe there are many independent states, or nations. Almost every able-bodied boy who grows to manhood in Europe is required to spend several years

in the army. Those who live on the borders of the European states are in constant expectation of being overrun by hostile armies. The people live in fear of their neighbors. If it were not for the government of the United States, we have reason to believe that we should be in a like condition. Each state would look upon its neighboring state as an enemy; wars between the states would be frequent; a large proportion of the citizens would be always in arms. The greatest favor which we enjoy at the hands of the general government is the freedom of the states to devote themselves to their own local affairs, with no outside power to molest or make them afraid. We never think of being afraid of a neighboring state. If one state should be so foolish as to interfere with the rights of the people of another state, the government of the United States is ever at hand to keep the peace and to prevent the wrong.



CHAPTER XVII.

THE CONGRESS OF THE UNITED STATES.

All Power from the People. — In former chapters we have seen that the legislature of a state makes some laws for the government of all the people of the state, such as laws to punish stealing, and some laws for the government of counties and other local governments in the state. It would naturally be expected

that Congress would make laws for the government of states, just as a state legislature makes laws to govern counties ; but this is not the case. Congress makes laws for the people of the entire country ; it does not make laws to govern states. The states do not receive power from Congress as a county does from the state legislature ; the state government receives its power from the people, through a state constitution. In like manner, the United States government receives power from the people through a Constitution of the United States. The people use one government to attend to one sort of business, and the other to attend to another sort.

Who may vote for Representative.— We may learn many interesting things about the Congress of the United States by reading the first article of the Constitution of the United States. We may thus learn that Congress is composed of a Senate and a House of Representatives. A Representative is chosen by the people of the state which he represents, and the same persons are permitted to vote for the representative to Congress as are allowed to vote for members of the most numerous branch of the state legislature. At the time the Constitution was written, some of the states did not allow so many people to vote for the least numerous branch of the state legislature as voted for the most numerous branch ; that is, they required a man to own more property before he could vote for a member of the state senate. All the states have now abolished this distinction, so that the same persons vote for members of both houses in the state

legislature, and for members of the lower house in Congress.

Who may be Congressmen.—A Representative in Congress must be at least twenty-five years old, he must reside in the state in which he is elected, and he must have been a citizen of the United States at least seven years. When a foreigner comes to this country, he is not, according to our laws, a citizen of the United States; he is called an alien. He may reside here and engage in business, own property, and enjoy nearly all the rights of a citizen; but he cannot be elected to Congress. Congress has passed a law to enable an alien to become a citizen after he has resided in the country five years. Then the Constitution says that seven years after an alien has become a citizen, he may be a member of Congress. To be a member of the Senate, one must wait nine years after he has been made a citizen by law. One born in this country is a citizen by birth. The Constitution does not permit any one to be President of the United States who is not a citizen by birth.

The Number of Representatives from each State.—The Constitution does not say how many members shall be in the lower house. In the first house of Representatives there were sixty-nine members, representing the first thirteen states. The Constitution requires Congress to apportion the members to the different states, according to the population, and a census is to be taken once in ten years, to enable Congress to give to each state the correct number of representatives. The Indians who are not taxed are not

counted in this census. The slaves were all counted, and three-fifths of the number was taken in making up the apportionment for a state. Since slavery has been abolished, all the people are counted except Indians who are not taxed. When Congress has learned from the census how many people there are, a law is passed fixing the number of members for the house, and giving to each state its proper number, according to its population. Each state has one member, whether it has people enough to entitle it to one or not; thus, Nevada has one member in the house, though it has scarcely one-third of the number of people required for a member in other states.

Representative Districts.—The Constitution leaves it to the legislature of the states and to Congress to determine the time, place, and manner of electing members of Congress. The method which has been adopted for the choosing of representatives is to divide the state into as many representative districts as there are representatives to be chosen. The voters who reside in a district elect the representative. It sometimes happens that an additional member is assigned to a state, and there is not time to redistrict the state; in that case, each of the old districts will elect a member, and then all the voters in the state will elect the additional member. Such a member is called a representative-at-large, and he represents the entire state, while an ordinary member is said to represent his district.

United States Senators.—Senators are elected by the state legislatures, and each state elects two mem-

bers, without regard to population. All the Representatives are chosen every two years. One-third of the Senators are chosen every two years ; a full term for a Senator is six years. In the first senate, the members were divided into three equal parts, as nearly as the number would admit, one-third to serve two years, one-third four years, and one-third the full six years. The senate is kept divided into three parts, as nearly equal as possible, one-third of the senators going out of office every two years.

How Laws are made. — In a former chapter, we have seen something of the way in which laws are made in a state legislature ; the method is the same in the Congress of the United States. Bills for raising revenue must originate in the House of Representatives ; all other bills may originate in either house. Before a bill can become a law, it must receive the support of a majority in each house. After a bill has passed both houses, it is carried to the President. The President is allowed ten days to decide whether he will sign or veto the bill. If he keeps it longer than the time allowed, it becomes a law without his signature, unless Congress has adjourned before the end of the ten days. If Congress adjourns within ten days after passing a bill, the President may refuse to sign the bill, and thus prevent it from becoming a law. If Congress does not adjourn, the President may veto the bill ; that is, he may return it to the house in which it originated, with a statement of reasons why he thinks it ought not to be made a law. If then, notwithstanding the President's objections, two-thirds

of the members of each house vote for the bill, it becomes a law without the President's signature.

A Quorum.—In order to pass any bill or to do any business, except to adjourn or to compel members to attend, there must be at least one-half of the members of the house present; this is what the Constitution calls a *quorum*. To pass any measure, simply requires a majority of those present, or a majority of a quorum. Some of the state constitutions require a majority of all the members of the house in order to pass a measure. If there were a hundred members, at least fifty-one must vote for the measure, in order to pass it; while, in Congress, if one of the houses contained one hundred members, fifty would make a quorum, and twenty-six would be able to pass a measure.

What Congress may do.—In the eighth section of the first article, the constitution states a number of things which Congress has power to do. It is often quite difficult to decide just what Congress ought to do, and just what ought to be left to the state legislatures. To assist in deciding this question, the people have named in the United States Constitution the things which they wish Congress to do. Then, in the tenth amendment to the Constitution, they have said: "The powers not granted to the United States by the Constitution, nor prohibited by it to the States, are reserved to the states respectively or to the people." We learn from this that Congress may make laws on all the subjects named in the eighth section, and may exercise all powers which the Constitution gives it. All powers not given by the Constitution to the

United States may be exercised by the states. If any doubt arise as to just what each government should do, the courts of the United States decide what is the real meaning of the Constitution, and what each shall do. The states are required to abide by the decisions of the courts of the United States.

What Congress and the States are forbidden to do.— In the ninth section, the constitution specifies a number of things which the people have forbidden Congress to do; then, in the tenth section, are specified a number things which the states are not allowed to do. The officers of the government are sometimes tempted to do things which are injurious to the people. The people protect themselves from some of these injuries by putting into their constitutions express prohibitions of such acts; hence we find, not only in the United States Constitution, but in all the state constitutions, mention of a number of things which the legislators and other officers are not allowed to do. If the legislature should pass a law which the Constitution forbids, any citizen who should feel himself injured by the law might go into the courts, and the courts would decide that the law is unconstitutional and not to be enforced.

CHAPTER XVIII.

THE PRESIDENT OF THE UNITED STATES.

The President assists in making Laws. — From the second article of the Constitution, we learn many interesting things about the President. If we carefully read over this part of the Constitution, we see that the President is much like the Governor of one of the states. He is the chief Executive officer of the government. Like the Governor, he sends messages to the legislature giving information about the condition of the country, and recommending such laws as seem to him to be needed. If something should happen, when the legislature is not in session, to cause the President to feel the need of that body, he may call an extra session of Congress. The President, as we have seen, has the power to veto a bill passed by Congress, and thus prevent its becoming a law unless two-thirds in each house shall vote to pass it over his veto.

The President commands the Army and Navy. — We have seen that the Governor of a state is commander-in-chief of the state militia, and that the state is forbidden by the Constitution to have a regular army or navy. The United States has both an army and a navy; and the Constitution makes the President their Commander-in-Chief. The President is also the commander-in-chief of the militia of the states when they are called into the service of the United States.

We see, then, that the Governor of a state may be the commander-in-chief of the militia of his state only when the militia is serving the state ; when the state militia enters the service of the United States, the Governor ceases to be its commander.

The President may help the Constable. — If disorder occurs in any part of the country, it is the duty, in the first place, of the constable or the policemen, or the justices of the peace, or any of the peace-officers who may be near, to preserve the peace and prevent injury to persons or property. If the local peace-officers of the township cannot keep order, it is their duty to call upon the sheriff of the county; and the sheriff may call to his aid all the able-bodied men of the county, to assist him to keep the peace. If the disorder is too great for the sheriff to control, it is his duty to call upon the Governor of the state, who may call to his aid the militia of the entire state. The Governor would then take the chief command. If the disorder prove too great for the Governor to control, the state legislature, or the Governor, if the legislature is not in session, may call upon the President of the United States, whose duty it then becomes to come to the Governor's aid with the army or the navy of the United States; or, he may call to his aid the militia of all the states. The President would then take chief command in place of the Governor. We see from this that the constable or the justice of the peace has behind him all the power of the United States. It is on this account that one weak constable may often arrest and put in jail a score or more of strong men. To resist

the officer is not only dangerous, it is also useless and foolish.

The States may help the President. — If a law of the United States is not obeyed, or if officers of the United States are attacked, a United States marshal would be ordered by a United States court, or by some other United States officer, to arrest the offenders and see that the laws were executed. If, in any part of the country, a United States marshal is resisted, it is the duty of the President to see that enough force is sent to his aid to overcome the resistance; for this purpose, the President is likely to make use of the army and navy. If the resistance is too great for that part of the army and navy which is near, he may call upon the Governors of the states conveniently situated to furnish the militia of their states. It then becomes the duty of the Governors called upon to put under the command of the President such parts of the state militia as he calls for. In this way, the President may call to his aid all the militia of all the states; and thus, the whole military power of the country may be used to enforce a United States law as well as a state law.

The Common Voter does not vote for the President. — We often hear men say that they voted for President Lincoln, or President Grant, or President Cleveland; but, if you read carefully all that the Constitution says, we shall see that it is not quite true that a common voter votes for a President. A voter does vote for the Governor of his state, but he does not in the same way vote for the President and

the Vice-President of the United States. The Constitution says that each state shall appoint, in such a manner as the state legislature may determine, as many electors as the state has Congressmen, and that the electors shall choose the President. If a state has fifteen Congressmen, that is, thirteen Representative and the two Senators, then the legislature of that state must provide for the choosing of fifteen Presidential electors ; these fifteen electors are all the voters in such a state who really vote for the President.

How the President is elected. — The legislatures of every state in the Union have passed laws requiring these Presidential electors to be chosen at a general election, at which all the voters of the state have a right to vote. A common voter, in a state having fifteen congressmen, would vote for fifteen electors, and these electors would vote for the President. What a man means, then, when he says, "I voted for President Lincoln," is, that he voted for the electors in his state who cast their vote for Mr. Lincoln. This is nearly the same as voting for the President. When the general election occurs, and the electors are chosen, everybody knows beforehand what each Presidential elector will do if chosen. The electors are all pledged in advance to vote for a particular man as President. Immediately after the election, it is known who will be President. We are accustomed to call the election at which electors are chosen the Presidential election. This election occurs in November, once in four years ; but the meeting of the electors, and the actual voting for the President by these electors chosen in November,

does not occur till January of the following year. The meeting of Congress to count the votes does not occur till February, and the elected President comes into office on the fourth of March following.



CHAPTER XIX.

HOW UNITED STATES LAWS ARE EXECUTED.

A State Governor executes few Laws.—The President, as we have seen, is like the Governor of a state in a good many ways ; but the executive work of the United States is not at all like the executive work of the state. As has been shown, the greater part of the laws in the states are executed by local officers in townships, counties, villages, and cities. These officers are chosen by the people of the locality, and the Governor has nothing to do with them. The general laws of the state are executed, part of them by the Governor, and part of them by other state officers whom the people elect, and by boards for the control of state institutions, sometimes appointed by the state legislature, sometimes by the Governor. In most of the states, however, the Governor has few appointments to make, and not much to do with the execution of the greater part of the laws.

The President is blamed for bad Government.—In the government of the United States, it is very different. The only executive officer whom the peo-

ple elect is the President, and the President is made responsible for all the laws passed by Congress. A state needs a treasurer and some one to see that the state moneys are properly managed. The people elect officers to do this. If the officers steal the money, the people blame themselves for electing such men to office. The United States government needs treasurers and auditors, and multitudes of officers, to receive and expend the vast sums of money belonging to the government. If United States funds are stolen, the people blame the President, because it is the President who chooses these officers; and it is the President whose business it is to see that the men are fit, and that they faithfully execute the laws. The Senate ratifies the appointments which the President makes to the more important offices; yet, if a bad appointment is made, the President, and not the Senate, usually bears the blame.

The Eight Executive Departments. — Nearly all the executive business of the United States government is arranged under eight departments, each of which has an officer at its head who is a member of the President's Cabinet. These are the men who stand nearest to the President in the execution of the laws, and who share with him the responsibility of seeing that the laws are executed. The President and his Cabinet hold frequent meetings, at which they plan the work of executing the laws. Each Cabinet officer has a special responsibility for his own department of work, and it is his duty to keep the President informed upon all important matters in his department; thus, the

President, and eight men whom the President selects, are especially responsible for the vast business of executing the laws of the United States.

The Cabinet Offices. — The Cabinet officers are : 1, the Secretary of State ; 2, the Secretary of the Treasury ; 3, the Secretary of War ; 4, the Attorney-General ; 5, the Postmaster-General ; 6, the Secretary of the Navy ; 7, the Secretary of the Interior ; 8, the Secretary of Agriculture. The chief offices of their departments are in Washington. It requires the constant labors of thousands of under-officers and clerks to do the business in the central offices ; and it requires about 200,000 to do all the executive business of the government in various parts of the country and in foreign lands.

The Foreign Department. — The Secretary of State conducts the correspondence with other nations. The government sends Ministers or Ambassadors to reside at the capitals of the various nations, to see that American interests are properly guarded. Consuls are kept in the various cities where Americans travel, and especially in the cities where they trade, to see that their rights are secured. All these officers belong to the foreign department of the executive, of which the Secretary of State is the chief officer.

The Treasury Department. — The Secretary of the Treasury is the head of that department of the executive which collects and pays out the taxes of the government, which attends to the coining of money, and to the printing and issuing of the paper money in common use, and which executes the laws for the

management of the national banks. The Treasury department is second to none in importance.

Taxes on Imported Goods.—We have seen that a state gets most of the money needed to meet its expenses by collecting a tax on the property of the citizens. The United States gets no money in that way. The states do not collect money and pay to the United States as a county does for a state. More than half of the money which the United States government collects each year is received as duties, or taxes, upon foreign goods which are brought into this country. Congress determines what goods shall be thus taxed, and at what rate, and establishes ports of entry, where goods from abroad are permitted to be brought for sale. The bringing of goods into the country for private use or for sale, without the payment of required duties is called smuggling, and is a crime for which the laws fix heavy penalties. Some goods are allowed to enter free from tax, but all goods brought in from other countries must be examined by United States officers. The greater part of the taxes from this source is collected in the single port of New York. To guard against smuggling, and to provide for the collection of all taxes on imported goods, officers are stationed at frequent intervals around the entire boundaries of the country. For convenience in the execution of these laws, the country is divided into districts, with responsible officers in each district.

Tax upon Goods in this Country.—Another large source of revenue for the United States government is a tax upon certain articles produced in this country.

The principal articles selected for this purpose by our present laws are tobacco and various kinds of alcoholic liquors. For the collection of these taxes, the country is divided into districts, and a collector and assistants are appointed for each district. More than ten millions of dollars are collected annually in the single city of Peoria, Ill. These taxes are paid by the manufacturer or the one who prepares the article for sale. Peoria is the centre of the distilling business, hence the large collection in that city.

Who pays the Taxes. — The tax upon imported goods is paid, in the first place, to the officers of the government by the merchant who imports the goods; that upon goods made in this country is paid by the manufacturer of them; yet these try to sell the goods at such a price as not themselves to lose the tax. The burden, therefore, is finally borne by those who buy the goods for their own use. When we pay money to support the state, we know it, because it is a direct payment of cash. But we are seldom aware of paying anything to support the government of the United States; we make the payment when we buy goods.

The Post-Office Department. — Nearly all the expenses of the Post-Office are paid from the money received for the sale of stamps. The Postmaster-General is the President's chief assistant in the execution of the laws governing this department. This, as every one knows, is an immense business. There are 60,000 post-offices in the country. In a large city, like New York, thousands of persons are occupied in doing the business of one office. More

persons are employed in the mail service than in any other of the eight departments of the Executive. There are more postmasters than there are soldiers in the army of the Union.

The Agricultural Department. — The Secretary of Agriculture is at the head of a department recently created by a law of Congress. The object of the department is to assist the farmers of the country. This is done by collecting seeds from different parts of the world, and distributing them for trial among the farmers; by establishing experimental stations in different parts of the country to test the improved methods in agriculture; by employing scientific men to find out ways of destroying insects which are injurious to the crops. Recently, the reporting of the weather indications from day to day has been transferred from the War Department to the Agricultural Department, with the idea of making it more useful to the farmers by giving them warning of approaching storms or floods.

The Department of the Interior. — The Secretary of the Interior is at the head of that department of executive business which has charge of the Indian tribes, of the lands belonging to the United States, of the business of issuing patents, and of the execution of the laws for pensioning soldiers, and of various other kinds of business.

The Interstate Commerce Commission. — A part of the executive business of the government is given into the hands of special commissions, which are not put under the care of any one of the eight Executive

Departments. There is a law for the control of railroads in the United States, whose execution is placed in the hands of the President assisted by an Inter-state Commerce Commission, made up of five men appointed by the President with the consent of the Senate. Then there is a law to govern appointments to office by competitive examinations, whose execution is in the hands of the President assisted by a Civil Service Commission.

The Attorney-General has duties similar to those of the corresponding officer in a state or in a county. It is his duty to give written opinions to the President and other high officers in the Executive on questions concerning the meaning of the law. He also appears on behalf of the United States government in suits at law in the United States courts; and he gives advice and aid to district attorneys of the United States. These officers are sometimes called judicial rather than executive officers, because the greater part of their duties are in the courts. In each district court of the United States there is a District Attorney whose business it is to bring to justice those who break the laws of the United States. These attorneys are under the general direction of the President and the Attorney General.

CHAPTER XX.

THE UNITED STATES COURTS.

How Judges are appointed and paid. — By reading over the third article of the Constitution we learn how the courts of the United States are established. There is a Supreme Court of the United States which the Constitution itself requires, and there are inferior courts which it is the duty of Congress to establish by law. The judges in all these courts are appointed by the President with the consent of the Senate, and when once appointed they serve during life, or good behavior. Congress must fix the salary of the judges, but when it is once fixed, Congress has no power to diminish the salary for the judges already in office. Congress may at any time increase the salary of a judge; but if the salary is decreased, the law for decreasing can apply only to the judges appointed after the law is made.

The Supreme Court. — Congress has by law fixed the number of the judges of the Supreme Court at nine, one Chief Justice and eight Associate Justices. These all sit together as one court. The place for the holding of the sittings of this court is in the Capitol Building at Washington.

The United States Circuit Courts. — Congress has also by law established nine Circuit Courts of the United States. The entire country is divided into nine districts, and a Circuit Judge is appointed for

each district. Several states are combined to make up a district for a circuit court, and the judge holds sittings of the court in various parts of the district. Each of the Justices of the Supreme court is required by law to visit one of the circuits and hold a court at least once in two years. A court held by one of the Justices of the Supreme Court is a Circuit Court, but it is regarded as an important session of that court.

The District Court. — Congress has established a court of a still lower grade called a District Court. The entire country is divided into about sixty districts. Some of these districts are smaller than a state. New York and Texas each contains three districts. For nearly all of these districts one District Judge is appointed; but in some cases one judge supplies two districts.

Congress provides a place for the holding of all these courts, just as the state legislature and the county legislature provide for the holding of the courts of a state.

The United States Courts of Appeal. — Congress has recently provided for the establishment of a Court of Appeal, to be held in each of the nine circuits of the United States. This is done to relieve the Supreme Court. So many cases are appealed to the Supreme Court for decision that it is several years behind in its business. This new court is established to decide some of these cases, and thus relieve the higher court.

United States Marshals. — United States marshals and deputy marshals are appointed to attend upon the sittings of these courts of the general government, and

to do the business which in the state courts is done by the sheriffs and constables.

Few Lawsuits in the United States Government. — From these statements it is evident that the judicial business of the United States is done by a very few judges. The judicial business of one small state requires many more courts and much more work than does the same sort of business for the national government. Two hundred thousand or more are employed in doing the executive work of the general government; less than one hundred judges attend to all its judicial business. The reason for this is found in the fact that the sort of business which the Constitution gives to the general government does not often lead to suits at law. While more than sixty thousand persons may be required to execute the postal laws, yet it is likely that one judge could try all the cases at law which arise out of this business. The same is true of the collection of taxes, the care of Indians, the army and the navy. The sort of business which makes work for courts is the punishment of thieves, and those who injure persons and property, the enforcing of contracts, and the settlement of disputes which arise between citizens about their business. The greater part of this is in the hands of the states.

Appeals from the Supreme Court of a State to the Supreme Court of the United States. — Ordinarily when a suit at law has been decided by the highest court in a state, that is the end of it. It cannot be appealed from a state court to a United States court. But a few cases arise in the state court which, after

they are decided by the state Supreme Court, may be appealed to the Supreme Court of the United States. These are cases where one of the parties to the suit thinks that something is being attempted by the state government which is against the government of the United States. Whenever a question of this sort arises, and the Supreme Court of the state decides in favor of the authority of the state, the case may be appealed to the United States Supreme Court. In this way the Constitution and laws of the United States are kept from being broken by the states.

The Court of Claims. — Congress has established a Court of Claims to attend to business formerly attended to by a Committee of Congress. In this Court persons having claims against the United States may bring their suits.

PART V.

LESSONS ABOUT GOVERNMENT AND THE DUTIES OF CITIZENS.



CHAPTER XXI.

THE THREE DEPARTMENTS OF GOVERNMENT.

IN the previous chapters we have said a good deal about three sorts of business which the government does. These are : 1. Legislative. 2. Executive. 3. Judicial. The Legislature decides what the government shall do. The Executive does the things which the legislature requires. The Judiciary explains the acts of the legislature and applies them to special cases. A large part of the business of government needs no judiciary. The legislature requires certain things to be done, and the executive does the things required : the judiciary is only called upon to assist when some one refuses to obey, or when a dispute arises about what the legislature requires.

Compared with the building of a House.—It is a little like building a house. An architect makes the plans for the house and draws them out on paper. The builder takes the plans and executes them ; that is, he builds the house as the architect directs. If diffi-

culties arise in the execution of the plans, or if there are a number of persons interested in the building and disputes arise as to what the plans require, they are likely to go to some one who has great skill in such matters to settle the disputes. We may compare the architect with the Legislature, the builder with the Executive, and the skilled interpreter with the Judiciary.

In the government of the United States, Congress does the legislative business, the President and about two hundred thousand persons appointed to assist him do the executive business, and less than a hundred judges do the judicial business. We notice that the three sorts of business are in the hands of separate officers. In a state the legislative business is done partly by the state legislature and partly by legislative bodies in counties, townships, towns and cities, and school districts. The executive business is done in part by the Governor and other state officers, but in much larger part by local officers in counties, townships, cities and school districts. The judicial business is done by state and local courts. These three sorts of business are not in the hands of separate officers. Many of the local officers do both legislative and executive business, and in some cases the justices of the peace and the county judges attend to legislative, executive and judicial business. It is only in the general government for the entire state and in the general government for the United States that the three departments of government are kept separate.

Two meanings for the word Department. — In their reading about governments students often have trouble about the meaning of words. They are apt to get the erroneous notion that if the writer uses the same word which he has used before, he means by it the same thing. But we never find a writer who does this. The same word is used with different meanings, and this is liable to give us trouble as long as we live. I have used the word "department" with two meanings. When we say "The government is divided into three departments," we usually mean that the three sorts of business, legislative, executive, and judicial, are in the hands of separate officers. But in a former chapter we have seen that the executive business of the United States is in the hands of eight departments, and that each department is represented in the President's Cabinet.



CHAPTER XXII.

A GOVERNMENT BY THE PEOPLE.

GEOGRAPHY teaches that the governments of the world are divided into various classes, such as monarchies, aristocracies, and republics. A monarchy is a country ruled by a monarch called a king, an emperor, a sultan, or a czar. In an hereditary monarchy the one man is born to exercise authority. The monarch rules, and his son rules after him. In an aristocracy a few families have the authority to rule, or a few merchants. A republic, as we understand the word

in the United States, means "a government of the people, by the people, for the people."

The meaning of the word People. — When we use these words we often do not know exactly what is meant by the word people. It is a deceptive word. In the phrase "For the people" the word ought to mean every human being within the geographical limits of the country, and every citizen of the republic in any part of the world. It is the business of a good government to see that the rights of every human being within its limits are respected. It protects the foreigner who is visiting or traveling through the country. It protects the alien who resides in the country but has not been naturalized so as to become a citizen. It protects the infant as soon as life begins. It is not so easy to see how the phrase "a government by the people" can mean a government by every human being. An infant or a man who has lost his mind can have no part in the business of government. But any human being who knows enough to ask the officers of the government for something may influence the action of the government. Women do not ordinarily vote at elections, yet they have ideas about government and they have the right to express their ideas. In this way they influence the minds of those who do vote. As soon as boys or girls have ideas about government, they may begin to have some influence on the government and thus become a part of the people by whom the work of governing is done.

A Boy may influence Voters. — A story was told a few years ago of a small boy who was present at a

meeting in Chicago where the men and women were telling what they thought the government ought to do. They thought the government ought to take charge of all the property in the country and use it in such a way as to give to everybody all the food and clothing and houses they need. An idea came into the boy's head and pressed so hard for utterance that he asked permission to speak. He stood on the platform and said that there were already a great many people who were too lazy to work, and he was afraid that if the government should undertake to keep the people they would all quit work and we should starve to death. The boy's speech was published in the daily press and it probably had some influence on the minds of thousands of voters.

The Voters are the People. — All who think have a right, in a free government, to express their thoughts, and in this way they may take part in determining the acts of government. But in an especial manner the voters of a republic are the people by whom it is governed. A voter not only thinks, but he acts. It is the acts of the voter that determine the whole course of action in a republic. The voter is so important that often when we use the word people we mean by it only the one-fifth of the people who do the voting.

How the People made the Constitution of the United States. — The lessons studied ought to enable us to see pretty clearly how it is that the people rule in the United States. The Preamble to the Constitution says, "We the people of these United States . . . do ordain and establish this Constitution

for the United States of America." How did the people establish the Constitution? The Constitution was first written in 1789. If we study United States history we learn that for twenty years before that time the people of the country were called to endure a great deal of suffering for lack of good government. They did a great deal of thinking, and talking, and writing, and reading, in order to find a way out of their trouble. In this part of the work all who could think and talk took part. The voters in the different states, either by coming together in meetings or conventions, or by requesting their state legislatures to act for them, selected the best men they could find to go to a convention in Philadelphia and try to invent some way to get them out of their troubles. The convention wrote out the Constitution. Then the people of each state, either by their legislatures or by selecting men from the counties to attend a convention for the purpose, accepted the Constitution. The Constitution is established by the people because it was written by men selected by them for that purpose, and after it was written and examined it was agreed to by the people. By means of the Constitution of the United States the people provide for a Congress, an Executive, and a Judiciary, to do the things which they want the general government to do.

The people make the written Constitutions and elect Officers.—In like manner the people of each state make for themselves a state constitution, and through it provide for officers to do the governing which is not done by the general government. The

people make the constitutions, and then the people elect the officers to exercise the powers of government under the constitutions.

One People and one Government. — The question is often asked, How many governments do we have? Properly speaking we have one government. We are only one people, and all the government we have rests upon the authority of this one people. But the people have chosen to adopt a plan of government by which a part of their governmental business is done by United States officers and another part by state and local officers, and these two sets of officers are kept separate and distinct. This makes us appear to live under two governments. But we ought always to remember that we are not two peoples. Every state constitution, as well as the United States Constitution, begins with the words, "We the people of . . ." Now if we add together what is meant by "We the people" in all of the states we get exactly what is meant by "We the people" in the Constitution of the United States.

Loyalty to a State requires Loyalty to the United States. — If we read the history of the United States, we learn that a terrible civil war once came upon this country, partly because many citizens became confused in their minds about what seemed to them a double government. When we understand the government as we should we see that it is not possible to be loyal to a state unless we are at the same time loyal to the United States; because it is the United States government which enables the state

to be a good government. It is not possible for us to be loyal to a county, to a city, to a township, or to a school district without being at the same time loyal to the state which makes possible good government in counties, cities, townships and school districts.

CHAPTER XXIII.

LOCAL GOVERNMENT COMPARED WITH A BUSINESS COMPANY.

THE Constitution of the United States and the constitution of a state, both come directly from the people. The first comes from all the people, while the state constitution comes from the people of one state. If a state constitution should have in it anything in conflict with the government of the United States, then the judges of the courts would be required to decide that such part of the state constitution was of no force and could not be carried into effect. But all of a state constitution which is not in conflict with the government of the United States, and the state government which is organized to carry into effect the state constitution have just as high authority as does the Constitution of the United States, because both come from the one people who have the right to rule.

Local Governments controlled by the State Legislature.—The county government, or a city government, or the government of a township, an incorporated village, or a school district, has not the same high

authority as has the state constitution and the United States Constitution. All these local governments are the creation of the state legislature; they do not come directly from the people. The state legislature may do anything it pleases with these local governments unless the people of the state put something in the state constitution to limit the power of the legislature. Many state constitutions say the legislature shall not change the boundary of a county without submitting the question to the voters and securing a majority of them in favor of the change. If, in such a state, the legislature should pass a law to change the county line without doing as the constitution directs, some citizen who did not wish the line changed would bring a case before the court, and the court would decide that such an act of the legislature was no law at all, and would forbid the citizens to do as the act directs. But the thing for us to remember here is that the state constitutions do not contain many requirements which limit the legislature. In nearly all the details of government all these local governments are entirely in the hands of the state legislature.

A Partnership.—John Smith and James Brown may want to put their money together and engage in a large business as merchants. It will be convenient for them to make their contracts and conduct their business as one man under one name. Our state laws and the customs of merchants which the courts recognize as legal, enable them to do this. They will adopt a name for the firm as “Smith & Co.” There may be agents of the company who are authorized to

sign its name. The name they sign is "Smith & Co." "Smith & Co." orders goods, makes contracts, deposits money in the bank, orders the bank to pay money, and does all the business as one man. It is as if Smith & Co. was the name of one man. Such a thing could not take place if there were not laws which the courts recognize governing partnerships.

Business Corporations made by State Laws. — In a former chapter we saw that a thousand people may own a railroad. These people may live in different parts of the world. The greater part of them may be total strangers to each other. It is plain that before such a thing as this can happen there must be special laws to govern such business. The laws which govern Smith and Brown in doing business as partners would not answer for such a company. A railroad company is organized according to the laws of a particular state. It must have an established place of doing business. It must adopt a company or corporation name. It provides for the ownership of the property by equal shares called stock. The law provides that the officers of the company who are authorized to sign the company name shall be elected at stated times by the owners of the property, that is, by the stockholders. The law provides that when the stockholders cannot all come together they may send their votes to some one who can attend. This is called voting by proxy. While all the shares of a railroad company are equal, one man may own many more shares than others, and the law provides that in the election of officers the voting shall be according to the number of shares owned by each voter.

Thus, if one man owns more than half the stock, this one man may elect the officers and control the business. The shares of a company of this sort are in the market, and are bought and sold like other property. In this way the company remains, but the men who compose the company may change. A company thus organized is called a corporation, or a body corporate. The object of laws governing corporations is to enable a large number of people to carry on a business together.

Local Governments are Municipal Corporations. — The laws of the various states make counties, cities, townships, incorporated villages, towns, and school districts, *bodies corporate*. They are often called municipal corporations. These local governments resemble a railroad corporation in that they are authorized to elect officers, to make contracts, to sue and be sued in courts of law, to own property, and to carry on various sorts of business. All the people who live within the limits of these local governments are subject to their action. The voters in each are made responsible for electing the officers and seeing that the business authorized or required by law is done.

Water Supply by a Water Company. — In some cities the business of furnishing water and light is in the hands of corporations organized, according to the laws of the state, after the manner of a railroad company. The property of the water company is owned in the form of shares of equal value. The shareholders elect the officers of the company. The officers furnish water to the people and collect a water tax from them. A water company has the power to

tax those whom it supplies. In most cases the people are obliged to have the water, and they are obliged to pay for it all that the company is permitted to ask. To prevent the water company from collecting an unreasonable tax, the state laws usually give to the city corporation, that is, to the voters of the city through the city legislature, the power to limit the water company in the amount it shall be allowed to charge. The people, by this plan, secure their water supply through the joint action of two corporations: the one is a joint stock company which furnishes the water, and the other is the city corporation whose duty it is to oversee and control the joint stock company and prevent it from overtaxing the people.

Local Governments supply Water, Light, Roads, etc. — Another method in common use in our cities is for the city itself to furnish the water supply. In that case the city owns the machinery and all the property, employs men to conduct the business and collects the taxes necessary to meet the expenses of the business. The same is true of a light supply. Some cities arrange with a gas company or an electric lighting company to furnish light; others furnish light without the use of such companies. Something a little like this mixture of the two sorts of corporations is seen in the states where part of the building of roads and bridges is done by the county, city and township corporations, and part of it is done by joint stock corporations. In this case the joint stock corporation is permitted to levy a tax, or toll, upon the traveling public to pay for the use of the road.

CHAPTER XXIV.

THE STATE GOVERNMENT BY MUNICIPAL
CORPORATIONS.**Two meanings of the words County, Township, etc.**

— We are now prepared to understand certain things about political geography much better than when the subject was first presented in this book. There are two sorts of political divisions to be found in every state. The one is made up of all the divisions which furnish boundaries to the municipal corporations, or local governments described above. Two distinct meanings are to be recognized for each of these words. We say the state is divided into counties: we mean that the land is thus divided. We say the county owns a court house. The word county, thus used, means the people who have been united, or incorporated, by an act of the legislature, and given power to conduct, for themselves and for the state, important business. So of the word township: in one sentence it means a portion of land, in another it means a company of neighbors held together by important business relations and common duties. So of a city, and of an incorporated village, and of a school district. Such subdivisions of the state tend to become permanent parts of the political geography of the country.

Districts which are not Corporations. — There are other subdivisions of a different character. It is the

duty of the state legislature to divide the state into as many districts as the state has members in the lower house of Congress. Such a district is not a corporate body, it is not a government in any sense of the word, it is simply an arrangement for the accommodation of the state government. In like manner the state legislature divides the state into districts for the choosing of its own members. The state legislature may also divide the state into judicial districts for the convenience of the judicial department of the state. You will see that such a political division is very different from the municipal corporation.

Congress provides a multitude of Districts to accommodate United States Officers.—Recalling now what was said about the way in which the business of the government of the United States is carried on, we see that the only geographical areas which serve the purposes of the government are simply districts. The United States government is served by no municipal corporations. The states, as we have seen, do not do business for the United States. Congress arranges districts for the accommodation of the executive officers, and districts for the accommodation of judicial officers of the United States. It is surprising to learn how many such districts we live in. There are districts for the superintendence of mails; districts for the collection of revenue; districts for observing and reporting the weather. Congress does not stop with districting our own country, but districts foreign countries likewise, and puts an officer, called a consul, in each district. In like manner foreign governments

district our country for the convenience of foreign officers who reside among us.

The State Uses Corporations, the United States uses Districts.—Perhaps the best way of keeping a clear distinction between the government of the United States and that of an individual state is to remember that the states are largely governed by means of local bodies of citizens closely united in municipal corporations, and that the United States is not assisted by any local body of citizens in any place: the United States arranges mere districts wherever it pleases for the convenience of its own officers.



CHAPTER XXV.

THE WORTH OF A GOOD GOVERNMENT.

A Good Government worth more than Life.—How much is a good government worth? This is like asking, How much are the lives of the citizens of a country worth? If it were not for the government, a large portion of the people would die of violence and starvation. Yet a good government is worth a great deal more than the lives of the people whom it saves from a horrible death. One does not need to be very old before he sees clearly that there is much more to life than simply being alive.

It Removes Fear.—I once asked a large class of boys and girls how many of them had lived in a house that had been entered by a burglar. Out of about

forty there were only two or three. The great body of our people never see a burglar; they never see a murderer; they live in peace. Even the newspapers, after employing large numbers of active men who make it their special business to find out and report the crimes that are committed, find very few when we take into account the millions of people among whom they search. The great body of the people have at all times a feeling of security. It is the great mission of a good government to make it possible for the people to enjoy not life only, but life free from fear. A bad government, by removing the feeling of security, robs those who do live of much that makes life a blessing.

Good Men lay Down their Lives for a Good Government. — All through the history of the world there have been those who have felt that the value of a good government was so great that they were willing to sacrifice their own lives rather than continue to exist under a bad government.

Government Prevents Death from Disease. — A good government, as we have noticed in former chapters, does many things besides punishing the criminal, and thus making us safe in life and property. We are coming more and more to learn that the government is the only agency through which the people may be protected from destruction by deadly diseases. The action of the government has in many places added many years to the average life of the people, simply by checking contagious diseases and removing deadly poisons. And here again the blessing of the government is not limited to the mere lengthening of life; it makes life

more tolerable for those who live, by removing anxiety, and by diminishing the number of those who suffer from diseases.

The Many Things Which a Good Government Does.

— Another way of getting an idea of what the government is worth to the citizen is by thinking over the various sorts of business done by the government, and asking ourselves what kind of life we should live without these services. What should we be if the government did nothing for the education of the people? How should we live if there were no government to provide for streets and highways? How could we get along without the government to care for the insane, the poor, the orphan and all the unfortunates? How should we get along without a government to manage the water supply, and the light supply, and the street-car service of our great cities? What should we do without the government to give us a postal service? How should we carry on our trading if there were no government to coin our money and to see that all forms of money are kept at a uniform value? Of course the most important question is the one we have already talked about. Where should we be and what sort of lives would those of us enjoy who were permitted to live, if there were no government to punish crimes, to prevent violence and to make us safe in life and property? The multitude would die from violence and famine, and to those who remained that which makes life worth living would be blotted out.

CHAPTER XXVI.

THE EVIL HABIT OF NEGLECTING DUTY TO GOVERNMENT.

The Duty of the Good Citizen. — There is another question which is much more important than the question, How much is the government worth? It is this: If the government is worth so much, how much ought a good citizen to be willing to do in order to have a good government? We all know the correct answer to this question. The best and the most sensible men who have ever lived have been willing to give their lives to save their children from being obliged to live under a bad government.

To Die for Our Country Easier than to Form a Habit of Serving Our Country. — There are millions of full-grown, intelligent men and women now living in this country who believe every word which has been said about the worth of a good government. If the country were imperilled by an invading army, millions would enlist in the armies of the Union and risk their lives in defence of their country. I believe, also, that there are millions of men and women in this country who would sacrifice their lives rather than betray their country. Yet the greater part of these same millions, who would be willing to stand alone and suffer any kind of death which a tyrant could inflict rather than betray their country, are not willing, habitually, to make themselves a little uncomfortable

in order to save their country from ruin. These same millions believe that their country is in greater danger from the indifference of its citizens than from invading armies. They believe that no betrayal of country could equal in danger to country the habitual indifference of the citizens. Yet, knowing and believing all this, they live a life of habitual indifference, or at least they do not form a habit of giving up any of their personal conveniences in order to save their country from ruin. It is easier to persuade the citizen to die for his country than it is to teach him habitually to give up a little personal comfort.

The Habit of Service Formed Early. — I have been led to believe that the only way in which this most difficult task can be accomplished is to teach the boys and girls in our schools what the government is, what it does for the people, and what the citizen ought to do for the government, so that, before they are old enough to become fixed in an evil habit of neglect, each may become trained in the habit of definitely purposing to do the right thing, and that when the opportunity arises, each may form the habit of doing the right thing. Men and women, from force of habit, are doing the strange things which I have described. They did not know that it was required of the citizen to give up little comforts in order to save the government from ruin until the evil habit of neglect had become fixed.

CHAPTER XXVII.

STEALING FROM THE GOVERNMENT.

DANGER to the government comes through the practice of stealing from the government, or the practice of taking from the government more than is due, or the practice of withholding from the government that which is its due.

To Steal from the Government Worse Than to Steal from a Citizen. — It is surprising to learn how many people there are who do not think it is so bad a thing to take money or property from the government as it is to take money or property from a citizen. I believe that I can show that it is a worse crime for an officer of the government to steal money from the government than it is for a thief to steal from a private citizen.

The Small Boy Who Did Not Betray a Trust. — I was once in a large city where I wanted to buy a book and could not go to the book store. I selected a small boy who was selling papers and asked him if he would get the book for me. He agreed to do so. I took out my pocket-book to give him the money, and found that my smallest change was a ten-dollar bill. The question then arose in my mind, Shall I trust the boy with so much money? I looked into his face and decided to trust him. Now if that boy had not returned with my money, what would he have been? A thief, of course. But would the act have been a worse act than that of

the ordinary thief? I once told this story to a class of small boys and girls, and asked them this question, and I immediately got the answer from several of them that the act was worse than that of the common thief. Why is it worse? "Because you *trusted* him," was the reply. The boy returned with the book and the proper change. If he had not returned he would have committed two offences. He would have stolen my money: this is the act of the common thief, and he would have betrayed a trust. I have been told, and I think it may be true, that there have been common thieves who would not betray such a trust.

The District Officer Who Steals a Ton of Coal. —

We will now suppose that an officer whose duty it is to furnish the school district with fuel, charges the district with three tons of coal when he furnishes only two. In this way he takes ten dollars of the district's money. Who is the district? Whose money is this? It belongs to the taxpayers of the district. The officer who takes money belonging to a school district is a common thief. It is as if he found his way to the pockets of every taxpayer and got a few cents out of each and put them into his own pocket. So far the act is simply that of a common thief. But is there anything about the act of an officer who charges for a ton of coal that he has not furnished, which makes it worse than an act of common stealing? There is. He has been placed in an office of trust. He has been trusted not simply by one man, as was the small boy in the case of the book, but by all the people of the district. He consented to fill an office of trust. He has taken a

solemn oath faithfully to do all the duties of the office, and, having thus gotten into the place of trust, he has used the place to enable him to do the act of a common thief.

Stealing by Officers Weakens Government. — There is another view of the act of stealing by public officers which will enable us to see that this sort of stealing is much more injurious to the people and much more dangerous than is stealing by common thieves. If the officers of the government are honorable and upright, if they are faithful in the execution of the laws, we can laugh at the common thief who simply tries to take a little property here and there from private citizens. If the government is strong these people are not dangerous. There are few of them; they are easily restrained and kept from injury. But when a public officer uses his place of trust as a means of enabling him to take money from the pockets of the people, he commits an act which is aimed directly at the very life of the government itself. If the officers of the government become thieves, who is left to protect the citizen? When a thief steals from a citizen all see the need of a good, strong government, and all are more united in the effort to encourage the officers of the law to do their duty, and the hands of the government are strengthened. When trusted officers become thieves, citizens lose confidence in each other; the government is weakened; thieves and all sorts of criminals are encouraged.

The Case of Mr. Tweed. — An actual case may serve to illustrate the danger to the people when

public officers become thieves. William M. Tweed, an officer in the city of New York, and a few associates in office, began to take money from the public treasury. They used the money thus obtained to get control of the other offices of the city and of the state of New York. The control of more offices gave them more money. In a few years they controlled the chief offices of the city; they controlled the state legislature, and the chief courts of the city and the state. The possession of these great offices enabled them to steal more money, and to inflict a greater injury upon the people in a single year than it would be possible for common thieves to do in a hundred years. These bold criminals having control of the chief offices in a great state had formed a plan by which they might gain control of the government of the United States. Before this part of their plan could be carried into effect they were found out. It is said that when Mr. Tweed was confronted with the evidence of his guilt he asked in a tone of defiance, "What are you going to do about it?" The people answered this question by making him a fugitive from justice for a few years, and then, a prisoner till he died.

Mr. Tweed thought that he had so many judges and so many powerful friends who would befriend him, that he had so many millions of dollars in money which he had stolen from the people, and with which he could hire so many newspapers to speak well of him, that it was impossible for the people whose laws he had violated to do anything to punish him. But the people of New York were fortunate when the evidence

of the guilt of Mr. Tweed came into the hands of an honest man, and they were still more fortunate that that honest man had command of a great daily paper.

The Honest Editor. — Mr. George Jones was the owner of the *New York Times*, and the evidence of the guilt of Mr. Tweed came into his possession. As soon as Mr. Tweed knew of this he sent an agent to Mr. Jones and offered to pay him five millions of dollars if he would not publish the evidence. The agent said to Mr. Jones, "With five millions of dollars you could go abroad and live like a prince." Mr. Jones replied, "If I should take your money I should after that always know that I was a villain." Mr. Jones published the evidence. The people arose in their might and drove the thieves from office.

Which is better — to be a poor man, and at the same time conscious of being honest and upright, or a rich man, who knows himself to be a villain? We know well that there is but one right answer to this question. Each of us ought to answer strongly and decidedly, "For me, I will be poor and honest rather than rich and dishonest." If at any time we find that we are in doubt as to which we would rather be, we may know at once that we have already begun to have the thoughts of a villain. A truly honest man never has any doubt about a question of that sort.

Why did the Good Citizens allow the Tweed Ring to Rob Them? — Before the evidences of guilt against the Tweed ring came into the hands of Mr. Jones, there were thousands of good citizens in the state of New York who believed that the people were being robbed

by the officers of city and state. Many of these good people believed that the sort of crime that was being practised was more dangerous to their country than an invading army would be. They believed, too, that if they would only unite and put themselves to a little trouble, the wrong might be found out and corrected. Yet, knowing and believing all this, the habit of neglecting public duty was so strong that they allowed the crime to go on for years. This is one of the reasons why I think it is easier to teach a citizen to die for his country in a time of one sort of danger, than it is to get him to change a bad habit of neglecting public duty, when to do his duty would only cause him a very little trouble.



CHAPTER XXVIII.

THE CITIZEN'S DUTY TO PAY TAXES.

Taxes paid Grudgingly. — If a good government is worth all that the life and happiness of the citizens are worth, it would seem reasonable that a good citizen should feel, when he pays his taxes, that there is nothing in the world for which he pays so little and gets so much. If a good citizen is willing to give his life for his country, he ought to be anxious to pay his share of the taxes which are necessary to support his government. Yet here is another strange thing which it is hard to believe until our own observation compels

us to believe it. Many good citizens who would die for their country form the habit of paying their taxes grudgingly. They get into the habit of feeling that all that the government gets from them is just so much out of pocket. Some try to avoid paying their share of the taxes. Persons who would not cheat a private citizen have a confirmed habit of cheating the government out of the taxes which they know are due.

Property Marked for less than it is Worth. — An assessor came into my house and asked me what I thought was the value of my house and lot. It happened that I had thought of selling, and had fixed a price on the property. I told him what I asked for it. He wrote down in the assessor's book just one fourth of the sum which I had named. The laws of the state require the assessor to write in his book the full value of the property assessed. The assessor is bound by oath faithfully to execute the laws which govern his office. But it is found from experience that the habit of striving to avoid just taxation by giving in the property at less than its real value is so common that the officers get into the habit of writing down all the values at less than the true value. When this habit is once formed, the tendency is to keep putting the values lower and lower each year. Once, when I was in the office of the Auditor of the State, he showed me a slip of paper on which were printed the average values of various sorts of property, according to the assessor's books, for a term of twenty years. This paper showed distinctly that the assessors had gradually lowered the value,

so that it would be impossible to know from their appraisals what were the true values.

Habit Stronger than Sense of Duty. — The assessors and the taxpayers believe that the law requiring all property to be assessed at its market value is a good law. They believe that for the assessors and the taxpayers to depart from this valuation tends to cause injustice, that it tends also to encourage dishonesty, and to weaken and endanger the government. Yet, knowing and believing all this, it is exceedingly difficult to get them to change the bad habit.

Citizens Deceived in Matters of Taxation. — Partly because it has been found so difficult to get citizens to pay taxes willingly, ways have been devised of getting money out of the pockets of the people without letting them know it. A tax is collected on goods, and then, when the citizen goes to the store to buy the goods, he does not know how much is tax and how much is the price of the goods without the tax. Multitudes in this way pay a tax and do not know it. It may be necessary for the government to get part of its income from a tax on goods, but, as far as possible, it ought to be done in such a way that each taxpayer should know how much he pays as taxes. If the people are deceived, or if they are treated in such a way that they believe that they are deceived, it tends to destroy confidence in the government. Here again, nearly all would agree that the right and the safe thing is to have all the people, as far as possible, know what they give to the government, and what is done with the money by the officers of government.

Citizens Overcharge the Government for Services.

—The citizens who pay their taxes grudgingly, complainingly, and with a feeling that the government is their enemy, are likely, when they get a chance to charge the government for some service, to set a price higher than they would charge a neighbor. A government officer who was accustomed to pay bills against the government told me that the habit of overcharging was very common. As it is a greater wrong to steal from the government than it is to steal from a citizen, so it is a greater wrong to deal unfairly or unjustly with the government than it is to deal unfairly or unjustly with an individual. Yet there are many who believe this who will still continue in the habit of dealing unfairly with the government, though they would think it mean to deal so unfairly with a private citizen.

The Citizen must get used to Doing the Right Thing for His Country. — My belief is that if all the boys and girls in our schools are made to see what our government is, and what it does, and if they are made to see clearly what the citizen ought to do, they will form a habit of purposing in their minds that when the opportunity comes for serving their country they will not fall into the evil habits which endanger their country, but will form, rather, the good habit of taking trouble at the right time to do the things which every good citizen ought to do.

CHAPTER XXIX.

SOME GOOD HABITS OF CITIZENS.

I HAVE mentioned a good many bad habits which tend to weaken and destroy the government. I might mention as many good habits of men whom I have known, which tend to make the government strong and secure. I have already given the case of Mr. Jones who, when offered five millions of dollars to neglect a public duty, drove the tempter from his presence and did his duty. He said he would not live like a prince if he had to be a villain in order to do so. It is known that many citizens yield to such temptations, yet there are many more who will not yield, and these are a constant terror to evil-doers.

Doctors Oppose Their Own Interest for the Public Good. — I have before me some volumes published by the State Board of Health of a western state. I have looked through them and find a great deal of carefully prepared information about the prevention of diseases. I am acquainted with some of the men who have prepared this information for publication. Some of them have given days and weeks and months to this labor. Some of them have given not only time but money to the work, though they receive from the state not one cent for their labors. The books are published at the expense of the state for the good of the public, but much of the labor of preparing the material is done without pay. Why do these gentlemen of the medical

profession do so much for the good of the public? Is it any advantage to a doctor to have all diseases prevented? It tends directly to reduce the income of a doctor; yet these doctors give time, labor and money to the public for this very purpose. This is what we call public spirit, a disposition to work for the good of the public.

Many Citizens Love to Serve the Public. — There are many public officers who receive no pay for their services, yet they give time and much labor to the careful doing of the business of the office. In most places the officers of the school district receive no pay; yet there are men and women who give years of faithful and careful service to the duties of this office. And there are multitudes of public officers who fill offices for which some pay is given, who never think of measuring their services to the public by the pay they receive. There are multitudes of teachers who do this. I have known men who were habitually more careful and thoughtful in attending to the business of the government than they were in attending to their own private business.

The Man Who Lives Like a Prince Because He Would Not Be a Villain. — A certain Western state was in need of a capitol building. The legislature passed the necessary laws and the building of the capitol was placed in the hands of the proper authorities. It required about ten years to complete the building. Several millions of dollars were expended in the work. Many good judges of the cost of such a building express great surprise that it could be built for

such a small amount of money. From the beginning to the end of the work there was not, it is believed, one dollar of the money wrongly used. Such a public work as this is never carried on honestly through so many years unless there are a good many honest public officers who have a part in the work. But in this case all these honest officers, and the citizens generally, have united in giving the chief honor to the chief contractor and builder. He was so honest, so capable, so devoted to his trust and so attentive to the details of his work, that all agree in honoring him. I have heard of the builders of other capitols in other states who stole more of the people's money than the entire cost of the capitol built by this man. Who is it that lives most like a prince, the man who lives among his fellow-citizens loved and honored for his services to the public, or the man who has stolen enough of the people's money to enable him to go abroad and live among strangers, but who, as long as he lives, must know himself to be a villain, and must know that all honest men who know him always think of him as a villain?

CHAPTER XXX.

PRIVATE CITIZENS AND COMPANIES DO MUCH BAD WORK.

WE often hear the remark that it costs the government more to build a house or to carry on any sort of business than it does an individual or a private

company. Those who make this remark usually compare the best work which is done by the best business men, or the best work which is done by the best private companies, with the poorest work which is done by the government. We see at once that this sort of comparison is not fair. I am not at all sure that with all the present imperfections of the government, it does spend more than do private citizens in doing the same sort of business. I am very sure that the right sort of political training on the part of the citizens of a country will make it possible so to conduct the public business of the government that it will compare favorably with the work of private citizens.

The Crooked Railway. — I once rode along a railway that was exceedingly crooked. The track ran up and down several creeks so that it required miles of the road to get forward one mile ; yet there was good ground near by where the road could have been built straight. The road was made crooked because the railroad company made a contract to pay so many dollars for every mile of the track. The builder found that he could make more money by curving the track up and down all the creeks than by running it straight along the river. If the government had built such a road people would have talked about it, the newspapers would have written about it, and we should have been told that it is impossible for the government to conduct business in a sensible manner. Yet a private company may do things much worse than the making of unnecessary crooks in a road, and no one has anything to say about it.

Bad Mining Stock. — Public officers sometimes fraudulently take away the people's money. Our courts are full of records which prove that officers of private companies also fraudulently take the people's money. A few years ago one of the best of New York business men estimated that within a short time the people of the United States had been induced to invest in gold and silver mines a sum of money equal to our national debt. A large part of this immense sum was a dead loss to those who invested. This loss was in part due to the bad business calculation of honest men; a large part of it was due to fraudulent acts of dishonest men. If a government did not conduct its business more wisely and more honestly than the owners of gold and silver mines have conducted their business, we should soon have no government.

Good Citizens serve the Public more faithfully than they serve Themselves. — But it is claimed that we never can get public officers to give so careful attention to public business as the private citizen habitually gives to his own business. I put against this theory what seems to me to be a fact, that now, with all our bad habits, there are multitudes of public officers who do habitually give to public business such care. Then there are many men and women who are not in public office, who devote their lives to the service of the public. If this is true now, notwithstanding our lack of public spirit, and with our bad habits of neglecting many public duties, what may we not expect when we have corrected our bad habits, when the great body of our citizens have been made

to feel in early childhood how much the government is worth to us, and how dependent we are upon it for life and happiness.

CHAPTER XXXI.

THE BRAVERY OF THE GOOD CITIZEN.

The Brave Soldier.—The best citizen is always brave and full of courage. Every boy and girl ought to form a habit of choosing to be the best sort of citizen. They can learn to be brave by admiring the deeds of the brave, and by purposing to do the same things if the opportunity should come to them, and by doing bravely every day the little disagreeable right things which they can do. We all know what is required of a brave soldier. During the civil war one of the generals saw that it was necessary to delay the advancing army of the enemy for a few minutes, till the battery of his own army could be gotten in place. He turned to a subordinate officer and asked him if he could take a company and charge upon the enemy so as to check their march. The officer knew exactly what the question meant. It meant that he and his few followers should sacrifice their lives to save the rest of the army. Without a moment's hesitation he replied, "Yes, Sir," and the brave company went forward to certain death. This is the sort of bravery which war requires.

The Brave Policeman.—The same sort of bravery is often required in time of peace. The policeman is

often required to take his own life in his hand in order to save the lives of other citizens. There was a time in Chicago when the anarchists threw some shells into a crowd and caused the death of several citizens. A few policemen were near by, and they at once turned upon the anarchists, drove them from the field, followed them up and arrested those who were responsible for the crime. Probably not one policeman in a thousand during his entire life is put in a place where it would seem as dangerous for him to do his duty as it did to the Chicago police on that day. They did not know whether they would meet dynamite shells that would blow them to pieces, or what danger might be before them. We are permitted to live in safety because nearly every policeman, in every part of the land, has such a regard for his duty that if he is suddenly and unexpectedly brought to face a great danger, he will turn his face in the right direction and do his duty.

The Brave Citizen.—This sort of bravery is not confined to the soldier or to the policeman. The ordinary citizen may sometimes be required to risk his life for the sake of the public good. A few years ago one of the boldest bands of robbers ever known in the land entered a small town in Minnesota, in broad daylight. They required the cashier of the bank to deliver into their hands the money of the bank. He refused to do so, and they took his life. The bravery of the cashier led other citizens to acts of courage, and three of the robbers were killed, two were captured and the town was not robbed. The wife of the brave cashier uttered some of the bravest words which it is

possible for a woman to speak. She said, "I would not have had my husband do otherwise than as he did." Did the cashier give his life to save the money of the bank? Not at all. He gave his life to save his country, just as truly as does the brave soldier on the battle-field. If thieves and robbers did not know that they are likely to meet a brave man who will not hesitate to sacrifice his life when duty calls, we should be at the mercy of a few criminals. The man who shows courage in meeting a criminal is a defender of his country. Any citizen is liable to be called upon to show this sort of courage.

The Battle of Lexington. — We have all heard of the battle of Lexington. It was not a great battle. On one side was a company of citizens such as might be found in any township of Massachusetts. It was in time of peace. The colonists claimed that they were loyal and obedient subjects of the English government. They refused to do certain things which England commanded, because the things required were in violation of their rights as Englishmen, and in violation of the charter of their colony. These villagers claimed that they had a right to bear arms, and had a right to stand in arms on the village green. When the British officer at the head of an armed troop called them rebels and ordered them to disperse, they stood still. They would not fire upon the British, because that would make them rebels. They would not leave the field, because that would betray their cause. Nothing was left for them to do but to stand still and be shot down by British troops, and that is what they

did. It is because all the little towns and neighborhoods in America, a hundred years ago, had in them such men as these, that we have such a country as we now have.

Persian Gold Ruined the Brave Spartans. — We have heard of the bravery of the Spartans. It seemed easy and natural for a Spartan to die for his country. But there was one sort of courage which the Spartan did not have. He could not resist the temptation to receive a bribe when it was offered, though he seemed to know well enough that to accept a bribe endangered his country. A story is told of a little Spartan girl who, when she saw the Persians offer her father gold, cried out to him to flee lest the stranger should corrupt him. Yet the Spartan, knowing the danger, accepted the gold of the stranger. Persian armies never had the power to overrun Sparta, because the Spartans had the sort of bravery which made this impossible. Persian gold corrupted and destroyed Sparta, because the Spartans had not attained that higher and more difficult sort of courage which would have enabled them to overcome their personal desire for gold. This is quite like the case of some Americans who will imperil life to defend their country from an invading army, and yet will continue the habit of defrauding the public treasury, a habit which they believe to be more dangerous than an invading army.

Some of the Hard Lessons We Must Learn. — In order that our country may be safe, we must have both sorts of courage. We must have the courage which the Spartan had, and we must get that more difficult

sort of courage which will determine the citizen not to steal from the government himself, and which will induce him to learn how to detect and punish all who do steal from the government. We must learn never to accept bribes, and we must learn how to detect and punish those who do accept bribes. *We must learn to vote for laws which we believe to be for the public good, although we know that the laws will injure our private business.* We must form the habit of placing the public good above our own personal advantage. We must form the habit of giving due honor to all those who sacrifice ease and comfort for the public good. To do all these things which are necessary for the safety of the country, requires of the citizen a harder thing than was done by our worthy ancestors on the village green in Lexington.



APPENDIX.

APPENDIX.

CONSTITUTION OF THE UNITED STATES OF AMERICA.

PREAMBLE.

WE the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I. LEGISLATIVE DEPARTMENT.

Section I. Congress in General.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section II. House of Representatives.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

Section III. Senate.

1. The Senate of the United States shall be composed of two senators from each State, chosen by the Legislature thereof for six years, and each senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their officers, and also a president *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they

shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in case of impeachment shall not extend farther than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law.

Section IV. Both Houses.

1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing senators.

2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Section V. The Houses Separately.

1. Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior,

and, with the concurrence of two-thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither house during the session of Congress shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Section VI. Privileges and Disabilities of Members.

1. The senators and representatives shall receive a compensation for their services, to be ascertained by law and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

Section VII. Mode of Passing Laws.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be

approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Section VIII. Powers granted to Congress.

The Congress shall have power :

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States ; but all duties, imposts, and excises shall be uniform throughout the United States ;

2. To borrow money on the credit of the United States ;

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes ;

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States ;

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures ;

6. To provide for the punishment of counterfeiting the securities and current coin of the United States ;

7. To establish post-offices and post-roads ;

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries ;

9. To constitute tribunals inferior to the Supreme Court ;

10. To define and punish felonies committed on the high seas, and offenses against the law of nations ;

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water ;

12. To raise and support armies ; but no appropriation of money to that use shall be for a longer term than two years ;

13. To provide and maintain a navy ;

14. To make rules for the government and regulation of the land and naval forces ;

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions ;

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress ;

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased, by the consent of the Legislature of the State, in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings ; and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the

government of the United States, or in any department or office thereof.

Section IX. Powers denied to the United States.

1. The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of *habeas corpus* shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it.

3. No bill of attainder, or *ex-post-facto* law, shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any State.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Con-

gress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

Section X. Powers denied to the States.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex-post-facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the treasury of the United States, and all such laws shall be subject to the revision and control of the Congress.

3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delays.

ARTICLE II. EXECUTIVE DEPARTMENT.

Section I. President and Vice-President.

1. The executive power shall be vested in a President of the United States of America. He shall hold

his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows: —

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the State may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. [The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then, from the five highest on the list, the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum

for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]¹

4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed or a President shall be elected.

7. The President shall, at stated times, receive for

¹ Altered by the XIIth Amendment.

his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:—

“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States.”

Section II. Powers of the President.

1. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States; he may require the opinion in writing of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for and which shall be established by law; but the Congress may by law

vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

Section III. Duties of the President.

He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Section IV. Impeachment of the President.

The President, Vice-President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III. JUDICIAL DEPARTMENT.

Section I. United States Courts.

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts

as Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Section II. Jurisdiction of the United States Courts.

1. The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign states, citizens, or subjects.¹

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in

¹ Altered by XIth Amendment.

the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Section III. Treason.

1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV. THE STATES AND THE FEDERAL GOVERNMENT.

Section I. State Records.

Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Section II. Privileges of Citizens, etc.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice and be

found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Section III. New States and Territories.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

Section IV. Guarantee to the States.

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and, on application of the Legislature, or of the executive (when the Legislature cannot be convened), against domestic violence.

ARTICLE V. POWER OF AMENDMENT.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first Article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI. PUBLIC DEBT, SUPREMACY OF THE CONSTITUTION, OATH OF OFFICE, RELIGIOUS TEST.

1. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.

2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution ; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII. RATIFICATION OF THE CONSTITUTION.

The ratifications of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth.

AMENDMENTS TO THE CONSTITUTION.

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ; or abridging the freedom of speech, or of the press ; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in active service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not granted to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

ARTICLE XI.¹

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII.²

1. The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest

¹ Proposed by Congress March 5, 1794, and declared in force January 8, 1798.

² Proposed by Congress December 12, 1803, and declared in force September 25, 1804.

numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately by ballot the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of death or other constitutional disability of the President.

2. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.¹

1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have

¹ Proposed by Congress February 1, 1865, and declared in force December 18, 1865.

been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.¹

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male members of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole

¹ Proposed by Congress June 16, 1866, and declared in force July 28, 1868.

number of male citizens twenty-one years of age in such State.

3. No person shall be a senator or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

ARTICLE XV.¹

1. The right of citizens of the United States to vote shall not be denied or abridged by the United

¹Proposed by Congress February 26, 1869, and declared in force March 30, 1870.

States or any State on account of race, color, or previous condition of servitude.

2. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

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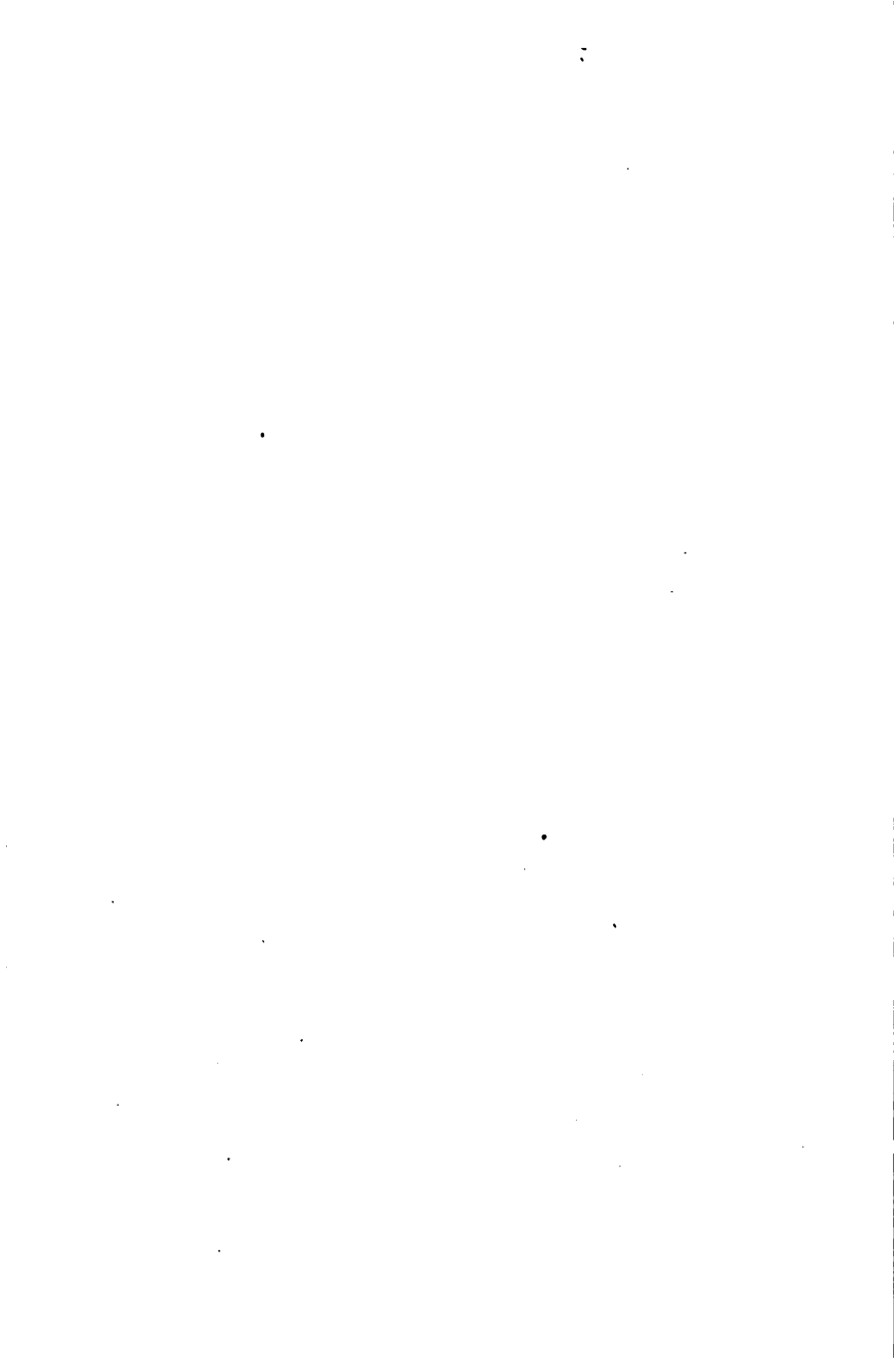
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